PALACE OFFICE RECORDS

Reg. No. M. 1175.

19.

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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. T. 2305—R. T. 1947-1, dated Bangalore, 3rd January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (No. XX of 1947), the Government of His Highness the Maharaja are pleased to make the following amendments to clause 8 of the Mysore Civil Motor Cars Control Order, 1945.

'Amendment'

After clause 8 of the said Order the following Clause 8-A shall be inserted, *viz.*,—

"8-A. No person who has purchased a controlled motor car under a sale order shall sell the car to any person until after the expiry of a period of twelve months from the date of purchase of the car:

Provided that the Government may grant such exemption as is necessary from the operation of the above clause, for reasons stated in writing by the owner of the car."

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. C. 1889—Co. 31-47-1, dated Bangalore, 5th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act No. XX of 1947) and in supersession of their Notification No. C.-7318—Co. 17-45-17, dated the 2nd April 1947, as amended up-to-date, the Government of His Highness the Maharaja are pleased to fix the prices of all brands of cement as noted below and to direct with reference to rule 119 (1) of the said rules that notice of the price fixation shall be given by publication of the same in the Official Gazette and by issue of a Press Note :—

(1) For deliveries to stations in the Mysore State on the Broad Gauge up to and inclusive of Bangalore City and to all stations on the Narrow Gauge between Bangalore City and Bowringpet.	Rs. 91–0–0 per ton in full waggon loads f.o.r. any railway station.
(2) For deliveries to stations elsewherei n the Mysore State.	Rs. 93–4–0 per ton in full waggon loads f.o.r. any railway station.

(3) retail prices shall not exceed the maximum f.o.r. any railway station prices by more than the amount it would be permissible for the seller, to charge under the normal practice authorised heretofore by the Cement Marketing Company of India on such an f.o.r. price. In charging such a price, the seller shall take into consideration the expenditure on items such as cost of unloading of waggon, cartage from station to godowns, stocking in godowns, godown rents, wastage and profit margin of the seller;

(4) provided that waggon-load as well as retail prices mentioned above shall be for supplies ex-nearest works. In the case of sale of waggon-loads as well as retail sales, the sellers may, in addition to such prices, charge extra for proportionate freight difference, if supplies were actually made from a more distant works;

(5) provided further that all such supplies into Mysore State from works other than the nearest works shall be made by the Cement Marketing Company of India, on the specific authorisation of the Controller of Civil Supplies in Mysore;

(6) provided also that in case of all sales (waggon-loads or smalls), the sellers shall be entitled to charge in addition to the aforesaid waggon-load and retail prices extra for general or special increase in freight after the date of this order for octroi, towns duty, terminal tax, sales tax or any other charge, levy or imposition payable by the sellers.

No. C 1892—Co. 31-47-1, dated Bangalore, 5th January 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act XXIV of 1946, as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, XXIII of 1947 and in supersession of all previous notifications on the subject, the Government of His Highness the Maharaja are pleased to fix the prices of all brands of cement as noted below:—

(1) For deliveries to Civil Station, Bangalore.	Rs. 91-0-0 per ton in full waggon loads f.o.r. Bangalore.

(2) Retail prices shall not exceed the maximum f.o.r. any railway station prices by more than the amount it would be permissible for the seller to charge under the normal practice authorised heretofore by the Cement Marketing Company of India on such an f.o.r. price. In charging such a price, the seller shall take into consideration the expenditure on items such as cost of unloading of waggon, cartage from station to godowns, stocking in godowns, godown rents, wastage and profit margin of the seller.

(3) Provided that waggon load as well as retail prices mentioned above shall be for supplies ex-nearest works. In the case of sale of waggon loads as well as retail sales, the seller may, in addition to such prices, charge extra for proportionate freight difference, if supplies were actually made from a more distant works.

(4) Provided further that all such supplies into the Station from works other than the nearest works shall be made by the Cement Marketing Company of India on the specific authorisation of the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

(5) Provided also that in case of all sales (waggon loads or smalls) the sellers shall be entitled to charge in addition to the aforesaid waggon load and retail prices extra for general or special increase in freight after the date of this order for octroi, townsduty, terminal tax, sales tax or any other charge levy or imposition payable by the sellers.

No. S. D. 4763—C. 41-47-20, dated Bangalore, 3rd January 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of chillies to places outside the State imposed in Government Notification No. 10271, dated 6th March 1943, be removed and free export permitted and to further direct with reference to Rule 119 of the said Rules that notice of this Notification shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S.D. 4784—C. 53-47-13, dated Bangalore, the 3rd January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, and in supersession of the Vegetable Oil Products Control Order, 1946 and the Notification No. S.D. 3132—C. 53-47-4, dated 31st October 1947, cancelling the Vegetable Oil Products Control Order, 1946, the Government of His Highness the Maharaja of Mysore are pleased to make the following order and to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the order shall be given by the publication of the said order in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions :—

Vegetable Oil Products Control Order, 1948.

1. (1) This order may be called the Vegetable Oil Products Control Order, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this order, unless there is anything repugnant in the subject or context :—

(*a*) "Controller" means the person appointed as the Vegetable Oil Products Controller for Mysore by the Government of Mysore and includes any person authorised by the Controller to exercise

all or any of the powers of the Comptroller under this order;

(b) "dealer" means a person carrying on business in the purchase, sale or distribution of any vegetable oil products;

(c) "producer" means a person carrying on the business of manufacturing any vegetable oil product;

(d) "recognised dealer" means a dealer recognised as such by the Comptroller for the purposes of this order;

(e) "vegetable oil product" means any vegetable oil subjected to a process of hydrogenation in any form, or any preparation thereof for cooking purposes containing not less than 50 per cent of hydrogenated vegetable oil.

3. No producer shall after such date as the Controller may notify in this behalf, dispose of, or agree to dispose of, or in pursuance of any agreement entered into on or before such date make delivery of, any vegetable oil product except—

(a) to or through a recognised dealer, or

(b) to a person specially authorised in this behalf by the Controller to acquire vegetable oil products on behalf of the Government; and no person other than a recognised dealer shall, after the date notified by the Controller, carry on business in the purchase, sale or distribution of any vegetable oil product.

4. (1) The Controller may by general or special order prohibit or restrict the manufacture, stock or sale of any variety or quality of vegetable oil product and no producer to whom such order applies shall manufacture, stock or sell any vegetable oil product in contravention thereof.

(2) Every producer shall furnish the Controller with such details regarding—

(a) the quantities and varieties of vegetable oil products manufactured by him; and

(b) the ingredients used in their manufacture and the sources from which the ingredients are obtained, as the Controller may require.

5. (1) Every producer and every recognised dealer shall comply with such directions regarding the sales, stocks and distribution of vegetable oil products as may from time to time be given to him by the Controller.

(2) Every producer and every recognised dealer shall furnish the Controller with such details regarding the quantities and varieties of vegetable oil products produced, stocked or sold by him, during any period, as the Controller may require.

6. (1) The Controller may from time to time by, notification in the Official Gazette, fix with prior concurrence of Government, the maximum prices at which vegetable oil products may be sold, and the prices so fixed may be different in different localities and for different classes of transactions.

(2) No person shall buy or sell, or agree to buy or sell, any vegetable oil product at a price exceeding the maximum fixed under sub-clause (1).

(3) Where in respect of any vegetable oil product a maximum price has been fixed under sub-clause (1), no such vegetable oil product shall be delivered or accepted in pursuance of an agreement entered into before such fixing of maximum price and providing for the payment of a price higher than that maximum, unless the agreement is so revised as to substitute for the price originally agreed a price not exceeding the maximum fixed under sub-clause (1).

7. (1) The Controller may from time to time—

(*a*) allot with prior concurrence of Government quotas of vegetable oil products for the requirements of any specified area or market;

(*b*) issue directions to any producer or dealer to supply vegetable oil products to such areas or markets, in such quantities, of such types or varieties, at such times, at such prices and in such manner, as may be specified in the direction; and

(*c*) require any producer or recognised dealer to keep in reserve stocks of vegetable oil products in such quantities and of such types and varieties as he may direct from time to time.

(2) Every producer and every dealer shall, notwithstanding any pre-existing agreement give priority to, and comply with, the directions issued to him under sub-clause (1).

8. (1) No vegetable oil product shall, after such date as the Controller may notify in this behalf, be offered by any person for transport whether by land or accepted by any railway administration or other carrier for transport, from the Mysore State except under and in accordance with the conditions of a permit issued by the Controller in this behalf.

Provided that the above restriction shall not apply to the transport of any vegetable oil product (*a*) not exceeding five seers by a *bona fide* traveller as part of his personal luggage, or (*b*) under and in accordance with military credit notes, or (*c*) under and in accordance with a permit issued by the Controller before the date notified by the Controller, or (*d*) in accordance with such general permits as may, from time to time be notified by the Controller.

(2) A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller, if so required by him, on completion of despatch, or on expiry of the period of its validity whichever is earlier, with the particulars of actual despatches noted on it in such form as may be prescribed by the Controller.

9. Any Court trying a contravention of this order may, without prejudice to any other sentence which it may pass, direct that any stock of vegetable oil product in respect of which it is satisfied that this order has been contravened, together with the receptacles in which the stock is contained, shall be forfeited to the Government.

10. Notwithstanding the supersession of the Vegetable Oil Products Control Order, 1946, all notifications, orders and directions issued thereunder shall, so far as they are not inconsistent with this order, be deemed to have been made hereunder and they shall continue in force until rescinded or modified hereunder.

No. S. D. 4831—C. 23-47-92, dated Bangalore, 6th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions imposed on the import and export of Pulses in Government Notifications noted in the margin be withdrawn in respect of all pulses other than Bengalgram and to direct with reference to Rule 119 of the said rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

1) No. C. S. 4556, dated 12th December 1942.
2) No. S. D. 8324—C. 102-44-35, dated 29th December 1945.
3) No. S. D. 3302—C. 96-45-7, dated 26th November 1945.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

No. 632--L. C., dated Bangalore, 6th January 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following Report of the Mysore Hindu Inter-caste Marriage Validation Bill, along with the Bill as amended by the Select Committee, is published for general information.

By Order,

K. PHEROZESHAW POONEGAR,
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE HINDU INTER-CASTE MARRIAGE VALIDATION BILL.

We, the members of the Select Committee to which the Hindu Inter-Caste Marriage Validation Bill has been referred, have considered the several clauses of the Bill at a meeting held on the 6th January 1948, and have the honour to submit the following Report :—

1. *Heading.*—The Committee felt that the word "Mysore" should be added in the heading between the words "The" and "Hindu."

2. *Preamble.*—The Committee agreed to substitute the word "among" for the word "of" in the second line of the preamble.

3. *Clause* 1 (1).—The Committee agreed to add the word "Mysore" between the words "the" and "Hindu", and also to substitute the figure "1948" for "1947."

4. *Clause 2.*—The Committee agreed to the clause being changed as follows:—

"Notwithstanding any *text, rule or interpretation of the Hindu* Law *or any* custom or usage to the contrary no marriage contracted between Hindus, *whether before or after the passing of this Act*, shall be invalid *or deemed to have been invalid* by reason *only* of the fact that the parties *thereto* belong to different castes or *to* different *sub-divisions* of *the same caste.*"

(The words italicised denote the changes).

5. *Proviso to Clause 2.*—The Committee agreed to the addition of the following proviso to clause 2:—

"Provided that the parties shall not be related to each other in any degree of consanguinity or affinity which would, according to the Hindu Law, render a marriage between them illegal."

The Bill was published in the Official Gazette in English on 3rd July 1947.

We recommend that the Bill as amended be republished.

(Sd.) K. T. BHASHYAM
M. A. GOPALSWAMI IYENGAR
T. MADIAH GOWDA
M. R. LAKSHAMMA
N. BALAKRISHNIAH
N. CHANNAPPA

THE MYSORE HINDU INTER-CASTE MARRIAGE VALIDATION BILL.

(*As amended by the Select Committee*).

[*The words italicised denote additions and changes.*]

Whereas it is expedient to recognise and place beyond doubt the validity of inter-caste marriages *among* Hindus:

It is hereby enacted as follows :—

1. (1) This Act may be called the *Mysore* Hindu Inter-Caste Marriage Validation Act, *1948*.

(2) It shall come into force at once.

(3) It extends to the whole of Mysore and applies also to all Hindu subjects of His Highness the Maharaja without and beyond Mysore.

2. Notwithstanding any *text, rule or interpretation of the Hindu* Law *or any* custom or usage to the contrary, no marriage contracted between Hindus *whether before or after the passing of this Act* shall be invalid *or deemed to have been invalid* by reason *only* of the fact that the parties *thereto* belong to different castes or *to* different *sub-divisions* of *the same caste.*

Provided that the parties shall not be related to each other in any degree of consanguinity or affinity which would, according to the Hindu Law, render a marriage between them illegal.

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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. S.D. 5070—C. 33-47-42, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of Cattle to places outside the State imposed in Government Notification No. S.D. 6012—C. 145-44-72, dated 2nd April 1945, be suspended and free export permitted till the end of March 1948, and to direct with reference to Rule 119 of the said rules that notice of this notification shall be given by publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S.D. 5089—C. 46-47-10, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of

tamarind to places outside the State imposed in Government Notification No. S.D. 10271, dated 6th March 1943, be suspended and free export permitted till the end of March 1948, and to direct with reference to Rule 119 of the said rules that notice of this notification shall be given by publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S.D. 5104—C. 66-47-22, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of onions to places outside the State imposed in Government Notification No. S.D. 5948—C. 251-43-3, dated 4th March 1944, be suspended and free export permitted till the end of March 1948, and to direct with reference to Rule 119 of the said rules that notice of this notification shall be given by publication of the same in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S.D. 5152—C. 22-47-44, dated Bangalore, 17th January 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to make the following Order, namely :—

1. (1) This Order may be called the Bangalore Sugar and Sugar Products Control Order, 1948.

(2) It extends to the whole area of the Civil Station, Bangalore.

(3) It shall come into force from the 18th January 1948.

2. In this Order unless there is anything repugnant in the subject or context :—

(1) Sugar means any form of sugar containing more than 90 per cent Sucrose.

(2) Sugar products means any article manufactured from and containing sugar not less than 50 per cent of its weight.

(3) No sugar or sugar products shall be exported from the Civil Station, Bangalore, to any place out side the Mysore State except under a permit granted by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

No. S.D. 5158—C. 22-47-45, dated Bangalore, 17th January 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1947 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to make the following Order :—

1. (1) This Order may be called the Bangalore Jaggery Control Order, 1948.

(2) It extends to the whole area of the Civil Station, Bangalore.

(3) It shall come into force from the 18th January 1948.

2. No jaggery shall be exported from the Civil Station, Bangalore to any place outside the Mysore State except under permits issued by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

No. S. D. 5202—C. 120-47-5, dated Bangalore, 17th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restriction imposed on the export of cotton

seeds outside the State in Government Notification No. S. D. 3271—C. 95-45-5, dated 26th November 1945 be withdrawn, and to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of this Order shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL, *Food Supply Secy.*

No. C. 1965—Co. 32-47-1, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (Act XX of 1947), the Government of His Highness the Maharaja are pleased to direct that with effect from the date of this notification the following further amendment shall be made in the Paper Price Control Order, 1946 and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the amendment shall be given by the publication of the same in the official gazette and by the issue of a Press Note summarising and explaining its provisions :—

For Schedule I to the said Order, the following Schedule shall be substituted, namely.

SCHEDULE I.

Variety of Paper Col. (1)	*Price per lb. except where otherwise stated Col. (2)*		
1	2		
	Rs.	a.	p.
I. Writing and Printing (except newsprint) papers—			
(*a*) Bleached, white or cream wove or laid, watermarked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) semi-bleached or buff in susbtances corresponding to 14 lbs. demy 500's and upwards	0	7	11
(*b*) As in (*a*) above, but in substances corresponding to substance below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's ...	0	8	11
(*c*) Unbleached, wove or laid, watermarked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) in substances corresponding to 14 lbs. demy 500's and upwards ...	0	7	8

Variety of Paper Col. (1) 1	*Price per lb. except where otherwise stated Col. (2)* 2 Rs. a. p.
(*d*) As in (*c*) above, but in substances corresponding to substances below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's ...	0 8 8
(*e*) Ordinary badami wove or laid, watermarked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) in substances corresponding to 14 lbs. demy 500's and upwards ...	0 7 6
(*f*) As in (*e*) but in substances corresponding to substances below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's ...	0 8 6
(*g*) White Bank Paper, Bond Paper and White or coloured Ledger paper (including Azurelaid) conforming to the conditions specified in the proviso to clause 4	0 11 8
(*h*) Coloured Bank paper and Bond paper conforming to the conditions specified in the proviso to clause 4	0 12 8
The varieties for (*a*) to (*d*) above are : Printing, Poster, Litho, Map Litho, Imitation, Art, Antique, Ferro Prussiate Base, Account Book, Ahmedabadi, Duplicator, Drawing, Cartridge, Offset Cartridge, Cream Laid, White Laid, Cream Wove, Legal Blue, Superior Badami, Match Box.	
Additional prices for (*a*) to (*d*) above for—	
(1) Supercialendered and water finished, or, for Rag qualities only, parchment finished ...	0 0 3
(2) Coloured	0 1 0
(3) 10 to 25 per cent Rag furnish ...	0 1 0
(4) 26 to 50 per cent Rag furnish ...	0 2 6
(5) 51 to 75 per cent Rag furnish. — having a maximum ash content of 5 per cent, and minimum burst specification of 5 points (Mullen) above the demy weight in lbs. as a result of 6 Mullen tests.	0 4 0
(6) 76 to 100 per cent Rag furnish.	0 6 0
Qualities referred to in (3) to 6 are—	
Banks, Bonds, Typewriting, Azure Laid Ledger, and Cheque Book Paper—	
(7) Guillotine cutting to sizes below 13¼ inches by 16½ inches	0 0 3
(8) Cutting to register, ...	0 0 6

Variety of Paper Col. (1)	Price per lb. except where otherwise stated Col. (2)		
1	2		
	Rs.	a.	p.
(9) Slitting to narrow reels—16 inches and below	0	0	6
Slitting to narrow reels—8 inches and below	0	1	0
Slitting to narrow reels—4 inches and below	0	1	6
Slitting to narrow reels—1 inch and below	0	4	0
(10) Embossed or decorated	0	1	0
II. Wrapping papers—			
(*a*) Brown Wrapping and brown cartridge minimum substance corresponding to 18 lbs. demy 500's	0	7	2
(*b*) Machine finished (M. F.) or Machine Glazed (M. G.) ribbed or plain kraft or Imitation Kraft, paper in substances corresponding to 22×29—30 lbs. 480's and upwards ...	0	7	9
(*c*) As in (*b*) above, but substances corresponding to substances below 22×29—30 lbs. 480's with a minimum of 22×29—26 lbs. 480's	0	8	9
III. Cover Papers—			
(*a*) Bleached	0	7	11
(*b*) Unbleached	0	7	8
(*c*) Manilla for Casing	0	7	11
(*d*) Manilla for envelopes	0	7	11
Additional prices for—			
(1) Supercalendered or Water finished ...	0	0	3
(2) Embossed or decorated	0	1	0
(3) Coloured	0	1	0
IV. Special thin qualities in substances corresponding to substances below 10 lbs. demy 500's.—			
(*a*) Toilet paper cut to small sizes	0	8	4½
(*b*) Air Mail	0	15	5
(*c*) Manifold	0	15	5
V. Blotting—			
(*a*) Bleached	0	12	2½
(*b*) Unbleached	0	11	11½
(*c*) Coloured	0	13	2½

Variety of Paper Col. (1)	*Price per lb. except where otherwise stated Col. (2)*		
1	2		
	Rs.	a.	p.
VI. Boards, (Solid, paste or combination)—			
(*a*) Bleached, semi-bleached or unbleached, cardboard	0	7	11
(*b*) Bleached or unbleached pulpboard ...	0	7	11
(*c*) Bleached or unbleached Manilla board ...	0	7	11
(*d*) Bleached or unbleached pasteboard ...	0	7	11
(*e*) Duplex board	0	8	½
(*f*) Triplex board	0	8	½
(*g*) Ticket board	0	7	9½
(*h*) Grey board	0	6	5½
Additional prices for—			
(1) Coloured	0	1	0
(2) Supercalendered or water finished ...	0	0	7
(3) Waterproofed	0	1	6
(4) Corrugating and Silicating	0	0	3¼
	per sq. ft."		

No. C. 1972—Co. 29-47-4, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act 1947, (Act No. XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the Woollen Goods (Control) Order, 1947, issued with Notification No. C. 1614—Co. 29-47-1, dated the 1st December 1947 shall be abrogated with immediate effect and to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the said abrogation shall be given by the publication of the same in the gazette and by the issue of a Press Note in this behalf.

No. C. 1974—Co. 29-47-5, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, XXIV of 1946 as applied to the Civil and Military Station of Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947

(XXIII of 1947), the Government of His Highness the Maharaja are pleased to abrogate with immediate effect the Woollen Goods (Control) Order, 1947 issued with Notification No. C. 1735—Co. 29-47-3, dated the 9th December 1947, as extending to the retroceded area of the Civil Station, Bangalore.

No. C. 1980—Co. 33-47-1, dated Bangalore, 16th January 1948.

In exercise of the powers conferred by Rule 81 (2) of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (Act XX of 1947), the Government of His Highness the Maharaja of Mysore are pleased to direct that the Mysore Handloom Cloth (Price Control) Order, 1947, with all the amendments issued thereto from time to time, shall be abrogated with immediate effect and to direct with reference to rule 119 (1) of the said rules that notice of this abrogation shall be given by publication of the same in the official gazette and the issue of a Press Note.

A. S. KHALEEL, *Secy., Food and Civil Supplies Depts.*

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PART IV

Legislative Measures and Rules thereunder

NOTIFICATIONS.

No. C. 2115—Co. 1-47-8, dated Bangalore, 23rd January 1948.

In exercise of the powers conferred by sub-rule 2 of Rule 81 of the Defence of India Rule as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act No. XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the Cotton Cloth Dealers' Licensing Order shall be abrogated with immediate effect and to direct with reference to Rule 119 (1) of the said rules that notice of abrogation shall be given by publication in the Official Gazette and by the issue of a Press Note.

No. S. D. 5517—C. 38-47-45, dated Bangalore, 23rd—26th January 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of jaggery to places outside the State imposed under

Jaggery Control Order 1947, issued under Government Notification No. S. D. 4172—C. 22-47-21, dated 6th December 1947, be suspended and free export permitted till the end of March 1948 and to direct with reference to Rule 119 of the said Rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL, *Secy., Food and Civil Supplies Depts.*

No. FI. 4109 I. T.—7-47-5, dated, Bangalore, 21st January 1948.

In exercise of the powers conferred by Section 59 of the Mysore Income-tax Act V of 1923, the Government of His Highness the Maharaja of Mysore are pleased to make the following amendments to the rules framed under the said Act, the same having been previously published in the Official Gazette as required by sub-section (4) of Section 59 of the said Act :—

Amendments to the Mysore Income-tax Rules.

In the said Rules,

1. In the return prescribed under Rule 18, for the words "Deduct - Any profits included in the accounts..... declared to be income-tax free," the following shall be substituted, *viz.*,

"Deduct—(1) any profits included in the accounts already charged to Mysore Income-tax and interest on securities of the Government of Mysore declared to be income-tax free.

(2) Income, profits or gains due to transactions in British India (Section 10 (4.)"

2. For Rule 39 the following rule shall be substituted :—

"39. The application under Rule 36 or Rule 36-A shall be made as follows:—

(1) If the applicant is resident in Mysore, to the Income-tax Officer for the place in which the applicant is chargeable directly to income-tax or if he is not chargeable

directly to income-tax to the Income-tax Officer for the place in which he ordinarily resides;

(2) If the applicant is resident outside Mysore, to the Income-tax Officer, Salaries Circle, Bangalore.

3. For Rule 42 the following rule shall be substituted:—

"42. A return shall be furnished by the principal officer of a Company under Section 19-A in respect of a dividend or aggregate dividends if the amount thereof exceeds one rupee in the case of a share-holder which is a company and in respect of a dividend or aggregate dividends if the amount thereof exceeds Rs. 5,000 in the case of any other share-holder."

4. After Rule 42 the following rule shall be inserted:—

"42-A. A return shall be furnished by the person responsible for paying interest not being interest on securities, in respect of amounts of interest or aggregate interest exceeding Rs. 400."

S. KANAKARATNARAJ, *Legal Member and Law Secy.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. C 2191—Co. 36-47-1, dated Bangalore, the 29th January 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act XXIV of 1946, as applied to the Civil and Military Station, Bangalore, by the Retrocession (Application of Laws) Act XXIII of 1947, the Government of His Highness the Maharaja are pleased to direct that the Bangalore Civil and Military Station Cotton Cloth Dealers' Licensing Order, 1943, shall be abrogated with immediate effect and to direct with reference to Rule 119(1) of the said rules that notice of abrogation shall be given by publication in the Official Gazette and by the issue of a Press Note.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

No. R. L. 1532—R. A. 32-47-11, dated Bangalore, the 30th January—3rd February 1948.

Pursuant to the direction contained in the Proclamation of His Highness the Maharaja, dated 29th day of October, 1947, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Constituent Assembly Election Rules, 1948, issued under Notification No. R. L. 1001—R. A. 32-47-1, dated 6th January 1948, namely,—

In the said Rules, for the words "The President, City Municipal Council, Mysore," wherever they occur the words "The Commissioner, City Municipal Council, Mysore," shall be substituted.

No. R. L. 1592—Legis. 19-47-1, dated Bangalore, the 4th February 1948.

Ordered that the accompanying Mysore Shops and Establishments Act, 1948, which received the assent of His Highness the Maharaja, on the 23rd day of January 1948, be published as Act No. II of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ, *Legal Remrbcr. and Law Secy.*

ACT No. II OF 1948.

THE MYSORE SHOPS AND ESTABLISHMENTS ACT, 1948.

(Received the assent of His Highness the Maharaja on the 23rd day of January 1948.)

An Act to provide for the regulation of conditions of work in Shops, Commercial establishments, Restaurants, Theatres, and other establishments and for certain other purposes.

Preamble.

WHEREAS it is expedient to provide for the regulation of conditions of work in shops, commercial establishments, restaurants, theatres and other establishments and for certain other puposes;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Shops and Establishments Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once in the Cities of Bangalore and Mysore. The Government may, by notification, direct that all or any of the provisions of this Act shall come into force in any other area on such date as may be specified in such notification.

CHAPTER I.

PRELIMINARY.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) "child" means a person who has not completed twelve years;

(2) "closed" means not open for the service of any customer or open to any business connected with the establishment;

(3) "commercial establishment" means an establishment which is not a shop but which carries on the business of advertising, commission, forwarding or commercial agency or which is a clerical department of a

factory or industrial undertaking or which is an insurance company, joint-stock company, bank, brokers' office or exchange and includes such other establishment as the Government may, by notification, declare to be a commercial establishment for the purposes of this Act;

(4) "day" means the period of twenty-four hours beginning at midnight:

Provided that in the case of a person employed, whose hours of work extend beyond midnight, day means the period of twenty-four hours beginning from the time when such employment commences;

(5) "employer" means a person owning, or having charge of the business of an establishment and includes the manager, agent or other person acting in the general management or control of an establishment;

(6) "establishment" means a shop, commercial establishment, restaurant, eating-house, residential hotel, theatre or any place of public amusement or entertainment and includes such establishment as the Government may, by notification, declare to be an establishment for the purposes of this Act;

(7) "factory" means any premises which is a factory within the meaning of clause (j) of section 2 of the Mysore Factories Act, 1936, or which is declared to be a factory under section 5 of that Act;

(8) "Inspector" means an Inspector appointed under section 42;

(9) "notification" means a notification in the official Gazette;

(10) "opened" means opened for the service of any customer;

(11) "period of work" means the time during which a person employed is at the disposal of the of the employer;

(12) "person employed" means—

(i) in the case of a shop, a person wholly or principally employed therein in connection with the business of the shop;

(ii) in the case of a factory or an industrial undertaking, a member of the clerical staff employed in such factory or undertaking;

(iii) in the case of a commercial establishment other than a clerical department of a factory or an industrial undertaking, a person wholly or principally employed in connection with

the business of the establishment, and includes a peon;

(iv) in the case of a restaurant or eating-house, a person wholly or principally employed in the preparation or the serving of food or drink or in attendance on customers or in cleaning utensils used in the premises or as a clerk or cashier;

(v) in the case of a theatre, a person employed as an operator, clerk, door-keeper, usher or in such capacity as may be specified by the Government by general or special order;

(vi) in the case of an establishment not falling under paragraphs (i) to (v) above, a person wholly or principally employed in connection with the business of the establishment, and includes a peon;

(vii) in the case of all establishments, a person wholly or principally employed in cleaning any part of the premises; but does not include the husband, wife, son, daughter, father, mother, brother, sister or any other relation of an employer not in receipt of wages and dependent on such employer;

(13) "prescribed" means prescribed by rules made under this Act;

(14) "residential hotel" means any premises in which business is carried on *bona fide* for the supply of dwelling accommodation and meals on payment of a sum of money to a traveller or any member of the public or class of the public;

(15) "restaurant" or "eating-house" means any premises in which is carried on wholly or principally the business of the supply of refreshments or meals to the public or a class of the public for consumption on the premises but does not include a restaurant attached to a theatre;

(16) "shop" means any premises where any trade or business is carried on or where services are rendered to customers and includes offices, store-rooms, godowns and warehouses, whether in the same premises or otherwise, used in connection with such business but does not include a restaurant, eating-house or commercial establishment;

(17) "theatre" includes any place intended principally or wholly for the representation of moving pictures or for dramatic performances;

(18) "wages" means all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable, whether conditionally upon the regular attendance, good work or conduct or other behaviour of the person employed, or otherwise, to a person employed in respect of his employment or of work done in such employment, and includes any bonus or other additional remuneration of the nature aforesaid which would be so payable and any sum payable to such person by reason of the termination of his employment, but does not include—

(*a*) the value of any house-accommodation, supply of light, water, medical attendance or other amenity or of any service excluded by general or special order of the Government;

(*b*) any contribution paid by the employer to any pension fund or provident fund;

(*c*) any travelling allowance or the value of any travelling concession;

(*d*) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment; or

(*e*) any gratuity payable on discharge.

(19) "week" means a period of seven days beginning at midnight on Saturday;

(20) "young person" means a person who is not a child and has not completed seventeen years.

3. References to time of day in this Act are references to Indian Standard Time which is five and a half hours ahead of Greenwich Mean Time. **References to time of day.**

4. (1) Nothing contained in this Act shall apply to— **Exemptions.**

(*a*) persons employed in any establishment in a position of management;

(*b*) persons whose work involves travelling; and persons employed as canvassers and caretakers;

(*c*) establishments under the Government or local authorities;

(*d*) establishments in mines;

(*e*) establishments in bazaars in places where fairs or festivals are held temporarily for a period not exceeding fifteen days at a time.

(2) Nothing contained in section 7 or section 13, as the case may be, shall apply to—

(a) hospitals and other institutions for the treatment or care of the sick, the infirm, the destitute or the mentally unfit;

(b) such chemists' or druggists' shops as the Government may, by general or special order, specify;

(c) clubs and residential hotels, hostels attached to schools or colleges, and establishments maintained in boarding schools in connection with the boarding and lodging of pupils and resident masters;

(d) stalls and refreshment rooms at railway stations, bus-stands and aerodromes.

Power of Government to apply Act to exempted persons or establishments.

5. Notwithstanding anything contained in section 4, the Government may, by notification, apply all or any of the provisions of this Act to any class of persons or establishments mentioned in that section, other than those mentioned in clauses (c) and (d) of sub-section (1), and modify or cancel any such notification.

Exemptions

6. The Government may, by notification, exempt either permanently or for any specified period, any establishment or class of establishments, or person or class of persons, from all or any of the provisions of this Act, subject to such conditions as the Government deem fit.

CHAPTER II.

SHOPS.

Opening and closing hours of shops.

7. (1) Save as provided by or under any other enactment for the time being in force, no shop shall on any day be opened earlier or closed later than such hour as may be fixed by the Government, by a general or special order in that behalf:

Provided that any customer who was being served or was waiting to be served in any shop at the hour fixed for its closing may be served during the quarter of an hour immediately following such hour.

(2) Before passing an order under sub-section (1), the Government shall hold an inquiry in the prescribed manner.

(3) The Government may, for the purposes of this section, fix different hours for different shops or different classes of shops or for different areas or for different times of the year.

8. Save as provided by or under any other enactment for the time being in force, no person shall carry on, in or adjacent to a street or public place, the sale of any goods after the hour fixed under section 7 for the closing of shops dealing in the same class of goods in the locality in which such street or public place is situated:

Selling outside shops prohibited after closing hour.

Provided that nothing in this section shall apply to the sale of newspapers.

9. (1) Subject to the provisions of this Act, no person employed in any shop shall be required or allowed to work therein for more than eight hours in any day and forty-eight hours in any week:

Daily and weekly hours of work in shops.

Provided that any such person may be allowed to work in such shop for any period in excess of the limit fixed under this sub-section subject to payment of overtime wages, if the period of work, including overtime work, does not exceed ten hours in any day and in the aggregate fifty-four hours in any week.

(2) No person employed in any shop shall be required or allowed to work therein for more than four hours in any day unless he has had an interval for rest of at least one hour.

10. The periods of work of a person employed in a shop shall be so arranged that, along with his interval for rest, they shall not spread over more than twelve hours in any day.

Spread over of periods of work.

11. (1) Every shop shall remain entirely closed on one day of the week which day shall be specified by the shopkeeper in a notice permanently exhibited in a conspicuous place in the shop; and the day so specified shall not be altered by the shopkeeper more often than once in three months.

Closing of shops and grant of holidays.

(2) Every person employed in a shop shall be allowed in each week a holiday of one whole day:

Provided that nothing in this sub-section shall apply to any person whose total period of employment in the week, including any days spent on authorised leave, is less than six days, or entitle a person who has been allowed a whole holiday on the day on which the shop has remained closed in pursuance of sub-section (1), to an additional holiday.

(3) No deduction shall be made from the wages of any person employed in a shop on account of any day on which it has remained closed or a holiday has been allowed in accordance with this section; and if such person is employed on the basis that he would not ordinarily receive

wages for such day he shall nonetheless be paid for such day the wages he would have drawn, had the shop not remained closed, or had the holiday not been allowed, on that day.

CHAPTER III.

ESTABLISHMENTS OTHER THAN SHOPS.

Application of this Chapter to establishments other than shops.

12. The provisions of this Chapter shall apply only to establishments other than shops.

Opening and closing hours.

13. (1) Save as provided by or under any other enactment for the time being in force, no establishment shall on any day be opened earlier or closed later than such hour as may be fixed by the Government by general or special order in that behalf:

Provided that in the case of a restaurant or eating-house, any customer who was being served or was waiting to be served therein at the hour fixed for its closing may be served during the quarter of an hour immediately following such hour.

(2) Before passing an order under sub-section (1), the Government shall make an inquiry in the prescribed manner.

(3) The Government may, for the purposes of this section, fix different hours for different establishments or different classes of establishments or for different areas or for different times of the year.

Daily and weekly hours of work.

14. (1) Subject to the provisions of this Act, no person employed in any establishment shall be required or allowed to work for more than eight hours in any day and forty-eight hours in any week:

Provided that any such person may be allowed to work in such establishment for any period in excess of the limit fixed under this sub-section subject to payment of overtime wages, if the period of work, including overtime work, does not exceed ten hours in any day and in the aggregate fifty-four hours in any week.

(2) No person employed in any establishment shall be required or allowed to work in such establishment for more than four hours in any day unless he has had an interval for rest of at least one hour.

Spread over of periods of work.

15. The periods of work of a person employed in an establishment shall be so arranged that along with his

intervals for rest, they shall not spread over more than twelve hours in any day.

Holidays.

16. (1) Every person employed in any establishment shall be allowed in each week a holiday of one whole day;

Provided that nothing in this sub-section shall apply to any person whose total period of employment in the week, including any days spent on authorised leave, is less than six days.

(2) No deduction shall be made from the wages of any person employed in an establishment on account of any day on which a holiday has been allowed in accordance with this section; and if such person is employed on the basis that he would not ordinarily receive wages for such day he shall nonetheless be paid for such day the wages he would have drawn, had the holiday not been allowed on that day.

CHAPTER IV.

EMPLOYMENT OF CHILDREN AND YOUNG PERSONS.

Children not to work in establishments.

17. No child shall be required or allowed to work in any establishment.

Young persons not to work before 6 a.m.

18. No young person shall be required or allowed to work in any establishment other than a theatre before 6 A.M.

Daily and weekly hours of work for young persons.

19. Notwithstanding anything contained in this Act, no young person shall be required or allowed to work in any establishment for more than seven hours in any day and forty-two hours in any week nor shall such person be allowed to work overtime.

CHAPTER V.

HEALTH AND SAFETY.

Cleanliness.

20. The premises of every establishment shall be kept clean and free from effluvia arising from any drain or privy attached to the premises or other nuisance and shall be cleansed at such times and by such methods as may be prescribed; and these methods may include lime washing, colour washing, disinfecting and deodorising.

Ventilation.

21. The premises of every establishment shall be ventilated in accordance with such standards and by such methods as may be prescribed.

Lighting.

22. (1) The premises of every establishment shall be sufficiently lighted during all working hours.

(2) If it appears to an Inspector that the premises of any establishment within his jurisdiction is not sufficiently lighted or ventilated, he may serve on the employer an order in writing specifying the measures which, in his opinion, should be adopted and requiring them to be carried out before a specified date.

Precautions against fire.

23. In every establishment, such precautions against fire shall be taken as may be prescribed.

Appeals.

24. Against any order of the Inspector under this Chapter, an appeal shall lie to such authority and within such time as may be prescribed; and the decision of the appellate authority shall be final.

CHAPTER VI.

HOLIDAYS WITH WAGES.

Holidays and sick leave.

25. (1) Every person employed in any establishment shall be entitled, after twelve months' continuous service, to holidays with wages for a period of ten or if a young person twelve days, in the subsequent period of twelve months, provided that such holidays with wages may be accumulated up to a maximum period of twenty or if a young person twenty-four days.

Explanation.—For the purposes of this sub-section any continuous period of service preceding the date on which this Act applies to any establishment shall also count, subject to a maximum period of twelve months.

(2) Every person employed in any establishment shall also be entitled during his first twelve months of continuous service after the commencement of this Act, and during every subsequent twelve months of such service, to leave with wages for a period not exceeding ten or if a young person twelve days on the ground of any sickness incurred or accident sustained by him.

(3) If a person entitled to any holidays under sub-section (1) is discharged by his employer before he has been allowed the holidays, or if having applied for and been refused the holidays, he quits his employment before he has been allowed the holidays, the employer shall pay him the amount payable under this Act in respect of the holidays.

(4) If a person entitled to any leave under sub-section (2) is discharged by his employer when he is sick

or suffering from the result of an accident, the employer shall pay him the amount payable under this Act in respect of the period of the leave to which he was entitled at the time of his discharge, in addition to the amount, if any, payable to him under sub-section (3).

(5) A person employed shall be deemed to have completed a period of twelve months' continuous service within the meaning of this section, notwithstanding any interruption in service during those twelve months brought about (i) by sickness, accident, or authorised leave (including authorised holidays), not exceeding ninety days in the aggregate for all three; or (ii) by a lock-out; or (iii) by a strike which is not an illegal strike; or (iv) by intermittent periods of involuntary unemployment not exceeding thirty days in the aggregate; and authorised leave shall be deemed not to include any weekly holiday or half-holiday, allowed under this Act which occurs at the beginning or end of an interruption brought about by the leave.

(6) A person employed in a hostel attached to a school or college or in an establishment maintained in a boarding school in connection with the boarding and lodging of pupils and resident masters shall be allowed the privileges referred to in sub-sections (1) to (5), reduced however proportionately to the period for which he was employed continuously in the previous year or to the period for which he will be employed continuously in the current year, as the case may be; and all references to periods of holidays or of leave in sub-sections (1) and (2) shall be construed accordingly, fractions of less than one day being disregarded.

(7) The Government shall have power to issue directions as to the manner in which the provisions of sub-section (6) shall be carried into effect in all or any class of cases or in any particular case.

Pay during annual holidays.

26. Every person employed shall, for the holidays or the period of the leave allowed under sub-section (1) or (2) of section 25, be paid at a rate equivalent to the daily average of his wages for the days on which he actually worked during the preceding three months exclusive of any earnings in respect of overtime.

Power to increase the number of holidays.

27. Notwithstanding anything contained in section 25, the Government may, by notification, increase the total number of annual holidays and the maximum number of days up to which such holidays may be accumulated in respect of any establishment or class of establishments.

Power of Inspector to act for person employed.

28. Any Inspector may institute proceedings on behalf of any person employed to recover any sum required to be paid under this Chapter by an employer which he has not paid.

CHAPTER VII.

WAGES.

Responsibility for payment of wages.

29. Every employer shall be responsible for the payment to persons employed by him of all wages and sums required to be paid under this Act.

Fixation of wage period.

30. (1) Every employer shall fix periods (in this Act referred to as wage periods) in respect of which such wages shall be payable.

(2) No wage period shall exceed one month.

Wages for overtime work.

31. Where any person employed in any establishment is required to work overtime, he shall be entitled, in respect of such overtime work, to wages at twice the ordinary rate of wages.

Explanation.—For the purpose of this section, the expression "ordinary rate of wages" shall mean such rate of wages as may be calculated in the manner prescribed.

Time of payment of wages.

32. (1) The wages of every person employed shall be paid before the expiry of the fifth day after the last day of the wage period in respect of which the wages are payable.

(2) Where the employment of any person is terminated by or on behalf of the employer, the wages earned by such person shall be paid before the expiry of the second working day from the day on which his employment is terminated.

(3) The Government may, by general or special order, exempt an employer from the operation of this section in respect of the wages of any person employed or class of persons employed, to such extent and subject to such conditions as may be specified in the order.

(4) All payments of wages shall be made on a working day.

Wages to be paid in current coin or currency notes.

33. All wages shall be paid in current coin or currency notes or in both.

Deductions which may be made from.

34. (1) The wages of a person employed shall be paid to him without deductions of any kind except those authorised by or under this Act.

Explanation.—Every payment made by a person employed to the employer shall, for the purposes of this Act, be deemed to be a deduction from wages.

(2) Deductions from the wages of a person employed shall be made only in accordance with the provisions of this Act, and may be of the following kinds only, namely:—

(*a*) fines;

(*b*) deductions for absence from duty;

(*c*) deductions for damage to, or loss of, goods expressly entrusted to the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;

(*d*) deductions for house accommodation supplied by the employer;

(*e*) deductions for such amenities and services supplied by the employer as the Government may, by general or special order, authorise;

(*f*) deductions for recovery of advances or for adjustment of over-payments of wages;

(*g*) deductions of prescribed insurance premia payable by the employed person;

(*h*) deductions required to be made by order of a Court or other authority competent to make such order;

(*i*) deductions for subscriptions to, and for repayment of advances from, any provident fund to which the Provident Funds Act, 1916, applies or any provident fund approved in this behalf by the Government during the continuance of such approval;

(*j*) deductions for payments to co-operative societies approved in this behalf by the Government or to a scheme of insurance maintained by the Indian Post Office or by any insurance company approved in this behalf by the Government;

(*k*) deductions made with the written authorization of the employed person in furtherance of any savings scheme approved by the Government for the purchase of securities.

35. (1) No fine shall be imposed on any person employed save in respect of such acts and omissions on his part as the employer, with the previous approval of the Fines

Government or of the prescribed authority, may have specified by notice under sub-section (2).

(2) A notice specifying such acts and omissions shall be exhibited in the prescribed manner on the premises in which the employment is carried on.

(3) No fine shall be imposed on any person employed until he has been given an opportunity of showing cause against the fine or otherwise than in accordance with such procedure as may be prescribed for the imposition of fines.

(4) The total amount of fine which may be imposed in any one wage period on any person employed shall not exceed an amount equal to half an anna in the rupee of the wages payable to him in respect of that wage period.

(5) No fine shall be imposed on any person employed who has not completed his fifteenth year.

(6) No fine imposed on any person employed shall be recovered from him after the expiry of sixty days from the day on which it was imposed.

(7) Every fine shall be deemed to have been imposed on the day of the act or omission in respect of which it was imposed.

(8) All fines and all realizations thereof shall be recorded in a register to be kept by the employer in such form as may be prescribed; and all such realizations shall be applied only to such purposes beneficial to the persons employed in the establishments as are approved by the prescribed authority.

Explanation.—When the persons employed are only part of a staff employed under the same management, all such realizations may be credited to a common fund maintained for the staff as a whole, provided that the fund shall be applied only to such purposes as are approved by the prescribed authority.

Deductions for absence from duty.

36. (1) Deductions may be made under clause (*b*) of sub-section (2) of section 34 only on account of the absence of an employed person from the place or places where, by the terms of his employment, he is required to work, such absence being for the whole or any part of the period during which he is so required to work.

(2) The amount of such deduction shall in no case bear to the wages payable to the employed person in respect of the wage period for which the deduction is made, a larger proportion than the period for which he was absent bears to the total period, within such wage period during which by the terms of his employment, he was required to work:

Provided that, subject to any rule made in this behalf by the Government, if ten or more employed persons acting in concert absent themselves without due notice (that is to say, without giving the notice which is required under the terms of their contract of employment) and without reasonable cause, such deduction from any such person may include such amount not exceeding his wages for eight days as may by any such term be due to the employer in lieu of due notice.

Explanation.—For the purposes of this section, an employed person shall be deemed to be absent from the place where he is required to work, if, although present in such place, he refuses, in pursuance of a stay-in-strike or for any other cause which is not reasonable in the circumstances, to carry out his work.

Deductions for damage or loss.

37. (1) Deduction under clause (*c*) of sub-section (2) of section 34 shall not exceed the amount of the damage or loss caused to the employer by the neglect or default of the person employed and shall not be made until the person employed has been given an opportunity of showing cause against the deduction, or otherwise than in accordance with such procedure as may be prescribed for the making of such deduction.

(2) All such deductions and all realisations thereof shall be recorded in a register to be kept by the employer in such form as may be prescribed.

Deduction for services rendered.

38. Deduction under clause (*d*) or clause (*e*) of sub-section (2) of section 34 shall not be made from the wages of a person employed unless the house accommodation, amenity or service has been accepted by him, as a term of employment or otherwise, and such deductions shall not exceed an amount equivalent to the value of the house accommodation, amenity or service supplied and in the case of a deduction under the said clause (*e*) shall be subject to such conditions as the Government may impose.

Deductions for recovery of advances.

39. Deductions under clause (*f*) of sub-section (2) of section 34 shall be subject to the following conditions, namely,—

(*a*) recovery of an advance of money given before employment began shall be made from the first payment of wages in respect of a complete wage period, but no recovery shall be made of such advances given for travelling expenses;

(*b*) recovery of advances of wages not already earned shall be subject to any rule made by the Government regulating the extent to which such advances may be given and the instalments by which they may be recovered.

Deductions for payment to co-operative societies and insurance schemes.

40. Deductions under clauses (*j*) and (*k*) of sub-section (2) of section 34 shall be subject to such conditions as the Government may impose.

Notice of dismissal.

41. (1) No employer shall dispense with the services of a person employed continuously for a period of not less than six months, except for a reasonable cause and without giving such person at least one month's notice or wages in lieu of such notice, provided, however, that such notice shall not be necessary where the services of such person are dispensed with on a charge of misconduct supported by satisfactory evidence recorded at an inquiry held for the purpose.

(2) The person employed shall have a right to appeal to such authority and within such time as may be prescribed either on the ground that there was no reasonable cause for dispensing with his services or on the ground that he had not been guilty of misconduct as held by the employer.

(3) Where the services of a person have been dispensed with in contravention of the provisions of sub-section (1), such person shall, where the employer does not agree to reinstate him, be entitled to such compensation as the appellate authority may determine, provided that such compensation shall not exceed an amount calculated at one month's wages for every year of service subject, in any case, to a maximum of six months' wages.

(4) The decision of the appellate authority shall be final and binding on both the employer and the person employed.

CHAPTER VIII.

APPOINTMENT, POWERS AND DUTIES OF INSPECTORS.

Appointment of Inspectors

42. The Government may, by notification, appoint such officers of the Government or of any local authority as they think fit to be Inspectors for the purposes of this Act, within such local limits as the Government may assign to them.

43. Any Inspector may at all reasonable hours enter into any premises which is, or which he has reason to believe is, an establishment, with such assistants and make such examination of the premises and of the prescribed registers, records or notices as may be prescribed. **Powers and duties of Inspectors.**

44. Every Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code as in force in Mysore. **Inspectors to be public servants.**

CHAPTER IX.

PENALTIES FOR OFFENCES.

45. (1) Any employer who contravenes any of the provisions of sections 7, 9 to 11, 13 to 23, 25, 26, 29 to 41 and 47 shall be punishable, for a first offence, with fine which may extend to twenty-five rupees, and for a second or subsequent offence, with fine which may extend to two hundred and fifty rupees. **Penalties.**

(2) Whoever contravenes the provisions of section 8 shall be punishable, for a first offence, with fine which may extend to ten rupees, and for a second or subsequent offence with fine which may extend to one hundred rupees.

46. Any person who wilfully obstructs an Inspector in the exercise of any power conferred on him under this Act or any person lawfully assisting an Inspector in the exercise of such power, or who fails to comply with any lawful direction made by an Inspector, shall be punishable with fine which may extend to two hundred and fifty rupees. **Penalty for obstructing Inspectors, etc.**

CHAPTER X.

MISCELLANEOUS.

47. Subject to the general or special orders of the Government, an employer shall maintain such registers and records and display such notices as may be prescribed. **Maintenance of registers and records and display of notices.**

48. (1) The Government may, by notification, authorise any officer or authority subordinate to it, to exercise any one or more of the powers vested in it by or under this Act, except the power mentioned in section 49, subject to such restrictions and conditions, if any, as may be specified in the notification. **Delegation of powers.**

(2) The exercise of the powers delegated under sub-section (1) shall be subject to control and revision

by the Government or by such persons as may be empowered by it in that behalf. The Government shall also have power to control and revise the acts or proceedings of any person so empowered.

Power to make rules.

49. (1) The Government may make rules to carry out the purposes of this Act.

(2) In making a rule under sub-section (1) the Government may provide that a contravention thereof shall be punishable with fine which may extend to fifty rupees.

(3) The power to make rules conferred by this section shall be subject to the condition of the rules being made after previous publication.

(4) All rules made under this section shall be published in the official Gazette and on such publication shall have effect as if enacted in this Act.

Rights and privileges under any other law, etc., not affected.

50. Nothing contained in this Act shall affect any rights or privileges which any person employed in any establishment is entitled to, on the date on which this Act comes into operation in respect of such establishment, under any other law, contract, custom or usage, applicable to such establishments, if such rights or privileges are more favourable to him than those to which he would be entitled under this Act.

Commissioner of Labour to decide certain questions.

51. If any question arises whether all or any of the provisions of this Act apply to any establishment or to a person employed therein or whether section 50 applies to any case or not, it shall be decided by the Commissioner of Labour and his decision thereon shall be final and shall not be liable to be questioned in any Court of Law.

Power of Government to suspend provisions of the Act during fairs and festivals.

52. On any special occasion in connection with a fair or festival or a succession of public holidays, the Government may, by notification, suspend for a specified period the operation of all or any of the provisions of this Act.

(Sd.) A. RAMASWAMI MUDALIAR,
Dewan.

No. S. R. 2550—J. S. 21-47-4, dated Bangalore, the 30th January 1948.

In exercise of the powers conferred by sub-section 2 of section 1 of the Mysore Companies (Amendment) Act, 1946 (VI of 1946), the Government of His Highness the Maharaja are pleased to direct that the said Act shall come into force from 1st February 1948.

S. KANAKARATNARAJ, *Law Secy*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 5802—C. 37-47-21, dated Bangalore, the 5th February 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the following articles of foodgrains namely, Haraka, Navane, Save and Sajje shall be omitted from Schedule I to the Articles of Food Acquisition (Harvest) Order, 1944 and that the provisions of the said Order shall not, with effect from the date of publication of this Notification, apply to the said articles of foodgrains and to further direct with referrence to Sub Rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 5825—C. 37 47-25, dated Bangalore, the 5th February 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are

pleased to direct that the following articles of foodgrains namely Haraka, Navane, Save and Sajje shall be omitted from the First Schedule to the Foodgrains Control Order, 1942 and that the provisions of the said Order shall not, with effect from the date of publication of this Notification, apply to the said articles of foodgrains and to further direct with reference to Sub-Rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S.D. 5932—C. 53-47-24, dated Bangalore, the 9th February 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station of Bangalore and continued in the Civil Station, Bangalore by the Retrocession (Application of Laws) Act 1947 (XXIII of 1947) and in supersession of the Vegetable Oil Products Control Order, 1946 that was in force in the Civil Station, the Government of His Highness the Maharaja of Mysore are pleased to make the following order :—

The Bangalore Vegetable Oil Products Control Order, 1948.

1. (1) This order may be called the Bangalore Vegetable Oil Products Control Order, 1948.

(2) It extends to the whole area of the Civil Station, Bangalore.

(3) It shall come into force at once.

2. In this order, unless there is anything repugnant in the subject or context :—

(*a*) "Controller" means the person appointed as the Vegetable Oil Products Controller for the Civil Station, Bangalore by the Government of Mysore and includes any person authorised by the Controller to exercise all or any of the powers of the Controller under this order;

(*b*) "dealer" means a person carrying on business in the purchase, sale or distribution of any vegetable oil products;

(c) "producer" means a person carrying on the business of manufacturing any vegetable oil product;

(d) "recognised dealer" means a dealer recognised as such by the Controller for the purposes of this order;

(e) "vegetable oil product" means any vegetable oil subjected to a process of hydrogenation in any form, or any preparation thereof for cooking purposes containing not less than 50 per cent of hydrogenated vegetable oil.

3. No producer shall after such date as the Controller may notify in this behalf, dispose of, or agree to dispose of, or in pursuance of any agreement entered into on or before such date make delivery of, any vegetable oil product except—

(a) to or through a recognised dealer, or

(b) to a person specially authorised in this behalf by the Controller to acquire vegetable oil products on behalf of the Government; and no person other than a recognised dealer shall, after the date notified by the Controller, carry on business in the purchase, sale or distribution of any vegetable oil product.

4. (1) The Controller may by general or special order prohibit or restrict the manufacture, stock or sale of any variety or quality of vegetable oil product and no producer to whom such order applies shall manufacture, stock or sell any vegetable oil product in contravention thereof.

(2) Every producer shall furnish the Controller with such details regarding—

(a) the quantities and varieties of vegetable oil products manufactured by him; and

(b) the ingredients used in their manufacture and the sources from which the ingredients are obtained, as the Controller may require.

5. (1) Every producer and every recognised dealer shall comply with such directions regarding the sales, stocks and distribution of vegetable oil products as may from time to time be given to him by the Controller.

(2) Every producer and every recognised dealer shall furnish the Controller with such details regarding the quantities and varieties of vegetable oil products produced, stocked or sold by him, during any period, as the Controller may require.

6. (1) The Controller may, from time to time, by notification in the Official Gazette, fix with prior concurrence of Government, the maximum prices at which vegetable oil products may be sold, and the prices so fixed may be different in different localities and for different classes of transactions.

(2) No person shall buy or sell, or agree to buy or sell, any vegetable oil product at a price exceeding the maximum fixed under sub-clause (1).

(3) Where in respect of any vegetable oil product a maximum price has been fixed under sub-clause (1), no such vegetable oil product shall be delivered or accepted in pursuance of an agreement entered into before such fixing of maximum price and providing for the payment of a price higher than that maximum, unless the agreement is so revised as to substitute for the price originally agreed a price not exceeding the maximum fixed under sub-clause (1).

7. (1) The Controller may from time to time—

(*a*) allot with prior concurrence of Government quotas of vegetable oil products for the requirements of any specified area or market;

(*b*) issue directions to any producer or dealer to supply vegetable oil products to such areas or markets, in such quantities, of such types or varieties, at such times, at such prices and in such manner, as may be specified in the direction; and

(*c*) require any producer or recognised dealer to keep in reserve stocks of vegetable oil products in such quantities and of such types and varieties as he may direct from time to time.

(2) Every producer and every dealer shall, notwithstanding any pre-existing agreement give priority to, and comply with, the directions issued to him under sub-clause (1).

8. (1) No vegetable oil product shall, after such date as the Controller may notify in this behalf, be offered

by any person for transport whether by land or accepted by any railway administration or other carrier for transport, from the Mysore State except under and in accordance with the conditions of a permit issued by the Controller in this behalf.

Provided that the above restriction shall not apply to the transport of any vegetable oil product (*a*) not exceeding five seers by a *bona fide* traveller as part of his personal luggage, or (*b*) under and in accordance with military credit notes, or (*c*) under and in accordance with a permit issued by the Controller before the date notified by the Controller, or (*d*) in accordance with such general permits as may, from time to time be notified by the Controller.

(2). A permit issued in pursuance of sub-clause (1) shall be returned by the consignor to the Controller, if so required by him, on completion of despatch, or on expiry of the period of its validity whichever is earlier, with the particulars of actual despatches noted on it in such form as may be prescribed by the Controller.

9. Any Court trying a contravention of this order may, without prejudice to any other sentence which it may pass, direct that any stock of vegetable oil product in respect of which it is satisfied that this order has been contravened, together with the receptacles in which the stock is contained, shall be forfeited to the Government.

10. Notwithstanding the supersession of the Vegetable Oil Products Control Order, 1946, all notifications, orders and directions issued thereunder shall, so far as they are not inconsistent with this order, be deemed to have been made hereunder and they shall continue in force until rescinded or modified hereunder.

A. S. KHALEEL,
Food & Civil Supplies Secy.

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EXTRAORDINARY

BANGALORE, TUESDAY, FEBRUARY 17, 1948.

NOTIFICATION.

Order No. R. L. 1812—Legis. 32-47-1, dated Bangalore, 17th February 1948.

Ordered that the accompanying Mysore Maintenance of Public Order (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 14th day of February 1948, be published as Act No. XV of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XV OF 1948.

THE MYSORE MAINTENANCE OF PUBLIC ORDER (EMERGENCY) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 14th day of February 1948.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to provide for matters hereinafter appearing :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, (XVIII of 1940) ;

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Maintenance of Public Order (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Definitions.

2. In this Act unless there is anything repugnant to the subject or context,—

(1) "Code of Criminal Procedure" means with reference to the Retroceded Area, the Code of Criminal Procedure 1898, as applied to that area and continued by the Retrocession (Application of Laws) Act, 1947, and with reference to the rest of Mysore the Code of Criminal Procedure, 1904.

(2) "essential commodity" means food, water, fuel, light, power or any other thing essential for the existence of the community which may be notified in this behalf by the Government in the official Gazette.

(3) "prejudicial act" means any act which is intended or is likely,—

(*a*) to cause disaffection among, or to prejudice, prevent or interfere with the discipline, health or training of, or the performance of their duties by public servants ;

(*b*) to render any public servant incapable of efficiently performing his duties as such or to induce any public servant to fail in the performance of his duties as such ;

(c) to prejudice the recruiting of, or the attendance of persons for service in, any of the forces of His Highness the Maharaja or any police force or fire brigade or any other body of persons entered, enrolled or engaged as public servants;

(d) to bring into hatred or contempt or to excite disaffection towards His Highness the Maharaja or the Government established by law in Mysore or in the Dominion of, or in any Province in, India;

(e) to promote feelings of enmity and hatred between different classes of the subjects of His Highness the Maharaja;

(f) to cause fear or alarm to the public or to any section of the public;

(g) to impede, delay or restrict the means of transport or locomotion or any work necessary for the supply or distribution of any essential commodity;

(h) to cause or produce or to instigate or incite directly or indirectly the cessation of work by a body of persons employed in any place of employment in which fifty persons or more are normally employed except in furtherance of a trade dispute as defined (with reference to the Retroceded Area) in the Trade Disputes Act, 1929, as applied to the said area and continued by the Retrocession (Application of Laws) Act, 1947, or an industrial dispute as defined (with reference to the rest of Mysore) in the Mysore Labour Act, 1942, with which such body of persons is directly concerned;

(i) to influence the conduct or attitude of the public or of any section of the public in a manner likely to be prejudicial to public safety or the maintenance of public order;

(j) to instigate directly or indirectly the use of criminal force against public servants generally or any class of public servants or any individual public servant.

(4) "prejudicial report" means any report, statement or visible representation, whether true or false, which, or the publishing of which, is, or is an incitement to the commission of, a prejudicial act.

(5) "public servant" includes any public servant as defined in the Indian Penal Code and any servant of any local authority.

(6) "Retroceded Area" means the retroceded area as defined in the Retrocession (Application of Laws) Act, 1947.

Effect of provisions inconsistent with other enactments.

3. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

CHAPTER II.

PUBLIC SAFETY AND ORDER.

Control of processions, meetings, etc.

4. (1) The District Magistrate may, for the purpose of securing public safety or the maintenance of public order by general or special order prohibit, restrict or impose conditions upon the holding of or taking part in public processions, meetings or assemblies.

(2) For the purposes of sub-section (1) any procession, meeting or assembly which is open to the public or to any class or portion of the public, whether held in a public or a private place and whether admission thereto is restricted by the issue of tickets or otherwise, shall be deemed to be a public procession, meeting or assembly as the case may be.

(3) If any person contravenes any order made under this section he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Unlawful drilling.

5. (1) The Government may by general or special order prohibit or restrict in any area any such exercise, movement, evolution or drill of a military nature as may be specified in the order.

(2) The Government may by general or special order with a view to securing that no exercise, movement, evolution or drill of a military nature is performed at any place, prohibit, restrict or impose conditions upon the holding of or taking part in any such camp, parade, meeting or assembly, as may be specified in the order.

(3) If any person contravenes any order made under this section he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

6. (1) If the Government is satisfied that ;— Official Uniforms.

(a) the wearing in public of any dress or article of apparel resembling any uniform or part of uniform required to be worn by a member of the forces of His Highness the Maharaja or by a member of any official police force or of any force constituted under any law for the time being in force,

(b) the wearing or display in public of any distinctive dress or article of apparel or any emblem,

would be likely to prejudice the public safety or the maintenance of public order, the Government may, by general or special order, prohibit or restrict the wearing or display in public of any such dress, article of apparel or emblem.

(2) For the purposes of this section, a dress, an article of apparel or an emblem shall be deemed to be worn or displayed in public if it is worn or displayed so as to be visible to a person in any place to which the public have access.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both.

7. (1) The District Magistrate whenever it appears to him to be necessary to ensure public safety or the maintenance of public order may by order direct that subject to any specified exemption,— Curfew.

(a) no person present within any specified area shall, between such hours as may be specified, be out of doors except under the authority of a written permit granted by a specified authority or person ;

(b) no person within a specified area shall put up any barricade or any obstruction across or in any public road or public place or part thereof.

(2) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to six months, or with fine or with both.

Proclamation of emergency and power of District Magistrates to use force in certain circumstances.

8. (1) The Government may, if satisfied that the public peace or tranquillity in Mysore or in any part thereof is disturbed, or is likely to be disturbed in consequence of a conflict or apprehended conflict between different communities or sections or factions or gangs, declare by a proclamation (hereinafter referred to as a Proclamation of emergency) in the official Gazette that an emergency exists either in Mysore or in any such part thereof as is specified in the proclamation.

(2) A Proclamation of emergency may, at any time, be revoked by a subsequent Proclamation.

(3) The provisions of this section shall be operative during the continuance of a Proclamation of emergency and in such part of Mysore in which by the Proclamation the emergency is stated to exist.

(4) The cessation of any Proclamation of emergency shall not,—

(*a*) affect any liability incurred under the provisions of this section or any punishment incurred in respect of any contravention of the said provisions or of any order made thereunder;

(*b*) affect any investigation or legal proceeding in respect of any such liability or punishment as aforesaid; and any such investigation or legal proceeding may be instituted, continued or enforced and any such punishment may be imposed as if the provisions of this section had not ceased to be operative.

(5) Subject to the general orders of the Government, the District Magistrate may, if in his opinion it is necessary, by general or special order in writing require any police officer or member of the State forces to use such force as may be necessary even to the causing of death against any person who,—

(*a*) when an order under clause (*a*) of sub-section (1) of Section 7 is in force, is out of doors and fails to halt when challenged by a police officer or a member of the State Forces; or

(*b*) contravenes or attempts to contravene an order under clause (*b*) of sub-section (1) of Section 7; or

(*c*) does or attempts to do or appears to be about to do any such act as would endanger or

damage any property of any description whatsoever which it is the duty of any police officer or a member of the State Forces to protect; or

(*d*) does or attempts to do or appears to be about to do any such act as would render him liable to punishment under Chapter XV or sections 302, 304, 325, 326, 380, 382, 386, 387, 392, 393, 394, 395, 399, 435, or 436 of the Indian Penal Code,

and it shall be lawful for such police officer or member of the State Forces when so ordered to use such force against such person.

(6) The use of force against any person in obedience to an order under sub-section (5) shall include the power to arrest and take into custody such person and the use of such force as may be necessary, even to the causing of death, in order to effect such arrest.

Amendment of Section 3 of Act XII of 1940.

9. In the second proviso to sub-section (2) of Section 3 of the Mysore Public Security Act, 1940, for the words "two months" the words "six months" shall be substituted.

CHAPTER III.

Prevention of Prejudicial Acts and Control of Information.

Prohibition of prejudicial acts, publications and communications.

10. (1) No person shall, without lawful authority or excuse,—

(*a*) do any prejudicial act; or

(*b*) make, print, publish or distribute any document containing, or spread by any other means whatsoever, any prejudicial report.

(2) The author, editor, printer and publisher of, and any person who otherwise makes or produces any prejudicial report and any person who distributes or sells any report of that nature, knowing it to be of such nature, shall be deemed to have contravened this section.

(3) If any person contravenes any of the provisions of this section he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both:

Provided that in any proceedings arising out of a contravention of this section,—

(*a*) in relation to the making or printing of any document, it shall be a defence for the accused to prove that the said document was made or printed, as the case may be,—

(i) before this Act came into force, or

(ii) with the permission or under the authority of the Government, or

(iii) as a proof intended for submission to the Government or to a person or authority designated by the Government in this behalf with a view to obtaining permission for its publication;

(*b*) in relation to the publication of any document it shall be a defence for the accused to prove that the said document was published,

(i) before this Act came into force, or

(ii) with the permission or under the authority of the Government.

Proscription etc., of certain documents.

11. (1) Where in the opinion of the Government any document made, printed or published whether before or after this Act came into force, contains any prejudicial report, the Government may by order,

(*a*) require the editor, printer, publisher or person in possession of such document to inform the authority specified in the order the name and address of any person concerned in the making of such report;

(*b*) provide for the safe keeping of such document and copies thereof by persons in possession thereof;

(*c*) require the delivery of such document and any copy thereof to any authority specified in the order;

(*d*) prohibit the further publication, sale or distribution of such document, or of any extract therefrom or of any translation thereof including, in the case of a newspaper or other periodical, the publication, sale or distribution of any subsequent issue thereof;

(*e*) declare such document and every copy or translation thereof or extract therefrom to be forfeited to the Government.

Explanation.—In this section "document" includes gramophone records, sound tracks and any other articles on which sounds have been recorded with a view to their subsequent reproduction.

(2) Where in pursuance of sub-section (1) any document is required to be delivered to a specified authority, that authority may enter upon and search any premises whereon or wherein such document or any copy thereof is or is reasonably suspected to be.

(3) Where in pursuance of sub-section (1) any document has been declared to be forfeited to the Government, any police officer may seize any copy thereof wherever found and any Magistrate may by warrant authorise any police officer not below the rank of Sub-Inspector to enter upon and search any premises whereon or wherein such document or any copy thereof, is or is reasonably suspected to be.

(4) Whoever contravenes any order made under this section shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Censorship

12. (1) The Government may, for the purpose of securing the public safety or for the maintenance of public order, by order addressed to a printer, publisher or editor, or to printers, publishers and editors generally,—

(*a*) require that all matter, or any matter relating to a particular subject or class of subjects, shall, before being published in any document or class of documents, be submitted for scrutiny to an authority specified in the order;

(*b*) prohibit or regulate the making or publishing of any document or class of documents, or of any matter relating to a particular subject or class of subjects, or the use of any press.

(2) If any person contravenes any order made under sub-section (1), the Government may, without prejudice to any other proceedings which may be taken against such person, declare to be forfeited to the Government every copy of any document published or made in contravention of such order and any press used in the making of such document.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment

for a term which may extend to three years, or with fine, or with both.

Explanation.—For the purposes of this section "press" includes a printing press and all machines, implements and plant and parts thereof and all materials used for multiplying documents.

Dissemination of false rumours.

13. Whoever by words, whether spoken or written or by signs or by visible or audible representations or otherwise makes, publishes or circulates, any statement, rumour or report, which is false and which he has no reasonable ground to believe to be true, with intent to cause or which is likely to cause fear or alarm to the public or to any section of the public, or hatred or contempt towards any public servant or any class of public servants or any class or section of the subjects of His Highness the Maharaja shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

Participation in mock funeral ceremony.

14. Whoever with intent to intimidate, insult or annoy any person, or with the knowledge that intimidation, insult or annoyance is likely to be caused to any person, performs or takes part in or abets the performance of any mock-ceremony, resembling any ceremony associated with or consequent upon death, shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Sabotage.

15. (1) No person shall do any act with intent to impair the efficiency or impede the working of or to cause damage to,—

(*a*) any building, vehicle, machinery, apparatus or other property used, or intended to be used, for the purpose of the Government or of any local authority;

(*b*) any railway (as defined in the Mysore Railways Act, 1894) tramway, road, canal, bridge, culvert, causeway, aerodrome, or any telegraph, telegraph line or post (as defined in the Indian Telegraph Act, 1885);

(*c*) any rolling stock of a railway or tramway, or any aircraft;

(*d*) any building or other property used in connection with the production, distribution or supply of any essential commodity, any sewage works, mine or factory.

(2) The provisions of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty either to the Government or to any public authority or to any person, to do as they apply to the doing of any act by a person.

(3) If any person approaches, or is in the neighbourhood of any such building, place or property as is mentioned in sub-section (1), in circumstances which afford reason to believe that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

Receiving of sabotaged property.

16. (1) If any person dishonestly receives or retains, or voluntarily assists in concealing or disposing of or making away with, any sabotaged property, knowing, or having reason to believe, the same to be sabotaged property, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

(2) In this section "sabotaged property" means property the possession of which has been transferred by, or in consequence of, any such act as is referred to in sub-section (1) of section 15.

Additional power to declare an association unlawful.

17. (1) If the Government is of opinion that any association is organised or equipped for the purpose of enabling the members of the association to be employed, or is organised or equipped in such manner as to arouse reasonable apprehension that the members of the association may be employed, in usurping the functions of the State Forces or His Majesty's Forces or of any police force or of any force constituted under any law for the time being in force or for the use or display of physical force in furtherance of the common object of the association or for the doing of any prejudicial act, the Government may by notification in the Official Gazette declare such association to be unlawful.

Explanation.—In this section "association" means any combination or body of persons, whether the same be known by any distinctive name or not.

(2) On the issue of a notification under sub-section (1) declaring an association as unlawful, the provisions of the Indian Criminal Law Amendment Act, 1908, as continued in the retroceded area by the Retrocession (Application of Laws) Act, 1947, shall apply with respect to an association in the retroceded area and the provisions of the Mysore Public Security Act, 1940, shall apply to an association elsewhere in Mysore.

Boycotting.

18. Whoever refuses to deal or do business with or to supply goods, or to let a house or land to, or to render any customary service to, any public servant or any person in whom a public servant is interested, or refuses to do so on the terms on which such things would be done in the ordinary course or abstains from such professional or business relation as he would ordinarily maintain with such public servant or person, or threatens such public servant or person with any such refusal or abstention, shall be punishable with imprisonment for a term which may extend to one year or with fine or with both;

Provided that no person shall be convicted under this section if the court is satisfied that his refusal, abstention or threat as aforesaid was not intended to harass the public servant or person affected thereby in the discharge of the duties of his office or employment or to cause him to terminate his services or fail in his duty or commit a breach of discipline.

CHAPTER IV.

COLLECTIVE FINES.

Imposition of collective fines.

19. (1) If it appears to the Government that the inhabitants of any area are concerned in, or abetting the commission of, offences prejudicially affecting the public safety or the maintenance of public order, or the production, supply or distribution of any essential commodity or the maintenance of supplies and services essential to the life of the community or are harbouring persons concerned in the commission of such offences or are failing to render all the assistance in their power to discover or apprehend the offender or offenders or are suppressing material evidence of the commission of such offences, the Government may by notification in the official Gazette impose a collective fine on the inhabitants of that area:

Provided that an imposition of a collective fine by any officer or authority to whom the power may have been delegated under this Act may be made by publication of the order imposing the fine in such manner as such officer or authority may consider best calculated to bring the order to the notice of the inhabitants of the area concerned.

(2) The Government or any officer empowered by it in this behalf may, by general or special order exempt any class or section of such inhabitants or any person from liability to pay any portion of such fine.

(3) The District Magistrate after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made in accordance with the District Magistrate's judgment regarding the respective means of such inhabitants. An appeal shall lie to the Government from an order of apportionment by the District Magistrate; provided such appeal is preferred within sixty days from the date of such order exclusive of the time required for obtaining a copy of the order.

(4) The portion of such fine payable by any person —

(*a*) shall be treated as a fine imposed by the Magistrate acting as a Court and recoverd in the manner provided by the Code of Criminal Procedure for the recovery of a fine imposed by a Court:

Provided that the Government may, in liew of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure make rules under this Act regulating the manner in which warrants under clause (*a*) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant; or

(*b*) shall be recovered as arrears of land revenue.

Explanation.—For the purposes of this section the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land

or other immoveable property within such area and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area notwithstanding that they do not actually reside therein.

CHAPTER V.

CONTROL OF ARMS AND EXPLOSIVES.

Carrying and possession of arms and explosives.

20. (1) The Government may, by general or special order, prohibit, restrict or impose conditions on the possession, carrying, use, sale or other disposal of—

(*a*) arms or articles capable of being used as arms;

(*b*) ammunition;

(*c*) substances (hereinafter referred to as explosive substances) which are, or are declared to be explosives within the meaning of the Mysore Explosives Act, 1888;

(*d*) corrosive substances or liquids;

(*e*) any other article or thing capable, in the opinion of the Government, of being used as a weapon of offence.

(2) Without prejudice to any powers conferred by or under any other law for the time being in force,—

(*a*) if any police officer not below the rank of Jamedar or any other public servant authorised by the Government to act under this section, suspects that any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids or any other things or articles capable of being used as weapons of offence are in or upon any land, vehicle, aircraft, building or other premises in contravention of an order made under sub-section (1), he may enter, at any time of the day or night, if necessary by force, and search the land, vehicle, aircraft, building or premises in or upon which he suspects that a contravention of an order made under sub-section (1) has been committed and may seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids or other articles

or things capable of being used as weapons of offence found therein or thereon which he suspects to be therein or thereon in contravention of such order;

(b) if any police officer or any other public servant authorised by the Government to act under this section suspects that any person is carrying, or is in possession of arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids or other articles or things capable of being used as weapons of offence in contravention of an order made under sub-section (1), such officer or other public servant may stop and search or cause to be searched such person and seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids or other articles or things capable of being used as weapons of offence possessed or carried by him which such officer or other public servant suspects to be possessed or carried in contravention of such order:

Provided that no female shall be searched in pursuance of the provisions of this section except by a female.

(3) Any arms, ammunition, explosive substances, corrosive substances or liquids or other articles or things seized under the provisions of this section may be destroyed or otherwise disposed of as may be ordered by the Government.

(4) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to five years, or with fine, or with both.

Manufacture and transport of explosives and dangerous articles.

21. (1) The Government may, as respects any premises used for producing, treating, handling or keeping any explosives or petroleum or any other substance to which any of the provisions of the Mysore Explosives Act, 1888 or of the Mysore Petroleum Act, 1942, or of the Indian Explosives Act, 1884, or of the Petroleum Act, 1934, as the case may be, apply, or may be applied, by order make provision for the safety of persons and property in, or in the vicinity of, such premises; and by

any such order may authorise the searching of persons, entering, or seeking to enter, or being within or leaving or seeking to leave any premises to which the order applies:

Provided that no female shall be searched in pursuance of such order except by a female.

(2) The Government may by order make, in relation to the conveyance on vehicles of any description of any such articles or substances as are mentioned in sub-section (1), such provision as may appear to be necessary or expedient for the protection of persons or property against danger arising from, or in connection with, such conveyance.

(3) If any person contravenes any order made under this section he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

CHAPTER VI.

Control of Road Transport.

Power to prohibit or regulate the use of vehicles or animals.

22. (1) In this section:—

(a) 'vehicle' means any vehicle used or capable of being used for the purpose of road transport;

(b) 'animal' means any animal used or capable of being used for the transport of persons or goods.

(2) If, in the opinion of the District Magistrate, it is necessary for the public advantage so to do, he may by order in writing,—

(a) regulate, restrict or prohibit the use upon any road of any vehicle or animal,

(b) require any vehicle as a condition of use to carry a permit issued by him containing such conditions as he may think fit,

(c) require any person owning or having in his possession or under his control any vehicle or animal to comply with any directions contained in the order as to the management or use thereof, or to place the vehicle or animal at the disposal of the District Magistrate or of any person specified in the order, either

absolutely or by way of hire and either for immediate or future use.

(3) The District Magistrate may cancel any permit issued by him, and may impound or take possession of any vehicle which is being or has been used without the permit necessary as a condition of use, or in contravention of any order made under sub-section (2) or of any condition attached to any permit issued by him.

(4) The District Magistrate may,—

(*a*) require accommodation to be provided on any vehicle for any passengers or goods and, for this purpose, exclude from such vehicle any passengers or goods which it is already carrying or about to carry;

(*b*) require that any specified persons or classes of persons or persons proposing to travel to specified destinations, or any specified goods or classes of goods consigned to specified destinations, shall not be carried on any vehicle or animal;

(*c*) exclude or eject any passenger from any vehicle or prohibit the use by any specified person or class of persons of any specified road, or specified vehicle or specified animal.

(5) The District Magistrate may, by order in writing, regulate or prohibit the sale, supply, delivery or use of motive fuel, oil or accessories intended for motor vehicles.

CHAPTER VII.

SUPPLEMENTAL.

Power to obtain information.

23. (1) Without prejudice to any special provisions contained in this Act, the Government or the District Magistrate may by order require any person to furnish or produce to any specified authority or person any such information or article in his possession as may be specified in the order, being information or article which the Government or the District Magistrate, as the case may be, considers it necessary or expedient in the interests of the public safety or interest to obtain or examine.

(2) If any person fails to furnish or produce any information or article in compliance with an order made

under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

False statements.

24. If any person when required by or under any of the provisions of this Act to make any statement or furnish any information makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false, or not true, in any material particular, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

Power to delegate.

25. The Government may by order direct that any power or duty which under any of the provisions of this Act is conferred or imposed upon the Government, shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by any officer or authority subordinate to it.

Publication, affixation and defacement of notice.

26. (1) Save as otherwise expressly provided in this Act, every authority, officer or person who makes any order in writing in pursuance of any provision thereof shall, in the case of an order:

(*a*) of general nature or affecting a class of persons, publish notice of such order by notification in the Official Gazette or in such manner as may, in the opinion of such authority, officer, or person, be best adapted for informing persons whom the order concerns;

(*b*) in the case of an order affecting an individual, corporation or firm in the Retroceded Area serve or cause the order to be served in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908 (V of 1908), as continued in the Retroceded Area by the Retrocession (Application of Laws) Act, 1947, and in the case of an order affecting an individual, corporation or firm elsewhere in Mysore serve or cause the order to be served in the manner provided for the service of a summons in rule 2 of Order XXIX or rule 3 of Order XXX as the case may be in the First Schedule to the Code of Civil Procedure, 1911; and

(c) in the case of an order affecting an individual person (not being a corporation or firm) serve or cause the order to be served on that person :—

(i) personally, by delivering or tendering to him the order, or

(ii) by post, or

(iii) where the person cannot be found, by leaving an authentic copy of the order with some adult male member of his family or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided or carried on business or personally worked for gain.

(2) If in the course of any judicial proceedings, a question arises whether a person was duly informed of an order made in pursuance of any provision of this Act, compliance with sub-section (1) shall be conclusive proof that he was so informed, but a failure to comply with sub-section (1) :—

(i) shall not preclude proof by other means that he had information of the order ; and

(ii) shall not affect the validity of the order.

(3) Any police officer, and any other person authorised by the Government or the District Magistrate in this behalf may, for any purpose connected with the public safety, the maintenance of public order, maintaining supplies and services essential to the life of the community or for carrying out the provisions of this Act affix any notice to, or cause any notice to be displayed on, any premises, vehicle or vessel, and may for the purpose of exercising the power conferred by this section enter any premises, vehicle or vessel at any time.

(4) Any person authorised by the Government or the District Magistrate in this behalf may, for any purpose mentioned in sub-section (3), by order direct the owner or other person in possession or control of any premises, vehicle or vessel to display any notice on, or in, the premises, vehicle or vessel in such manner as may be specified in the order.

(5) If any person without lawful authority removes, alters, defaces, obliterates or in any way tampers with any notice affixed or displayed in pursuance of the provisions

of this Act, or contravenes any order under sub-section (4), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

Offences under this Act to be cognizable and non-bailable.

27. Notwithstanding anything contained in the Code of Criminal Procedure, any offence punishable under this Act shall be cognizable and non-bailable.

Special provisions regarding bail.

28. Notwithstanding anything contained in the Code of Criminal Procedure, no person accused or convicted of a contravention of any of the provisions of this Act or of any order made thereunder shall, if in custody, be released on bail or on his own bond unless :—

(*a*) the prosecution has been given an opportunity to oppose the application for such release, and

(*b*) where the prosecution opposes the application and the contravention is of any such provision of this Act or of any order made thereunder as the Government may by general order specify in this behalf, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such contravention.

Attempts, etc., to contravene the Act.

29. Any person who attempts to contravene, or abets or attempts to abet, or does any act preparatory to a contravention of any of the provisions of this Act or of any order made thereunder shall be deemed to have contravened that provision, or as the case may be, that order.

Offences by Corporations.

30. If the person contravening any of the provisions of this Act or of any order made thereunder is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

Assisting offenders.

31. Any person who knowing or having reasonable cause to believe that any other person has contravened any of the provisions of this Act, or of any order made thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere with his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

32. The power to issue search warrants conferred by Section 98 of the Code of Criminal Procedure shall be deemed to include the power to issue warrants for :— **Power to issue searc warrants.**

(*a*) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the public safety or the maintenance of public order has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made;

(*b*) the seizure in or on any place searched under clause (*a*) of anything which the officer executing the warrant has reason to believe is being used or is intended to be used for any purpose mentioned in that clause;

and the provisions of the Code of Criminal Procedure shall, so far as may be, apply to searches made under the authority of any warrant issued and to the disposal of any property seized under this section.

33. (1) Any authority, officer or person who is empowered by or in pursuance of this Act to make any order, or to exercise any other power may, in addition to any other action prescribed by or under this Act, take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with, or for preventing or rectifying any contravention of such order, or for the effective exercise of such power. **Power to give effect to orders, etc.**

(2) Where in respect of any of the provisions of this Act there is no authority, officer or person empowered to take action under sub-section (1), the Government or District Magistrate may take or cause to be taken, such steps and use, or cause to be used, such force as may in the opinion of the Government or the District Magistrate be reasonably necessary for securing compliance with or for preventing or rectifying any breach of such provision.

(3) For the avoidance of doubts it is hereby declared that the power to take steps under sub-section (1) or under sub-section (2) includes the power to enter upon any land or other property whatsoever.

34. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act, or of any order made thereunder. **Protection of action taken under this Act.**

Operation of other penal Acts not barred.

35. Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other Act for any act or omission which constitutes an offence punishable under this Act.

Savings as to orders.

36. (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by any authority in exercise of any power conferred by or under this Act, a Court shall, within the meaning of the Indian Evidence Act, 1872, presume that such order was so made by such authority.

Repeal.

37. The Bangalore Special Powers Law, 1947, continued by the Retrocession (Application of Laws) Act, 1947, is hereby repealed.

K. CHENGALARAYA REDDY,
Chief Minister, in charge of the duties of the Dewan.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 5952, dated Bangalore, the 7—10th February 1948.

ERRATUM.

In Government Notification No. S. D. 4157—C. 22-47-16, dated 6th December 1947, issuing the Sugar and Sugar Products Control Order, 1947, *substitute* the words "dated 1st March 1946" *for* the words "dated 1st March 1947", occurring in line 7 of the Notification.

No. S. D. 6084—C. 14-47-25, dated Bangalore, the 14th February 1948.

In exercise of the powers conferred by Sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, and in supersession of Government Notifications noted in the margin, Government are pleased to direct that the restrictions imposed on the import and export of gram be withdrawn with effect from the date of Notification.

1. No. C. S. 4556, dated 12th December 1942.
2. No. S. D. 8824—C. 102-44-35, dated 29th June 1945.

Government further direct with reference to Rule 119 of the said rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. SD. 6108—C. 37-47-26, dated Bangalore, the 14th February 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja of Mysore are pleased to direct—

(1) that the following articles of foodgrains, namely, Ragi and Jola shall be omitted from Schedule I to the Articles of Food Acquisition (Harvest) Order 1944 and that the provisions of the said order shall not with effect from the date of publication of this Notification apply to the said articles of foodgrains;

(2) that the export of Ragi and Jola from any place within the State to any place outside the State be prohibited except under and in accordance with the terms of a permit from the Director of Food Supplies or any officer authorized by him in this behalf, and

(3) that this omission of Ragi and Jola from the schedule shall not.—

(a) affect any right, privilege, obligation or liability acquired, accrued or incurred thereunder prior to this omission,

(b) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the provisions of the Articles of Food Acquisition (Harvest) Order 1944 prior to this omission,

(c) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liabilty, penalty, forfeiture or punishment imposed under the Articles of Food Acquisition (Harvest) Order 1944, prior to this omission and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeture or punishment may be imposed, as if this Order had not been passed.

Government further direct with reference to Sub-Rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 6155—R. 22-47-12, dated Bangalore, the 16th February 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Retroceded Area and continued by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Bangalore Restriction of Food Consumption Order, 1946, published in Notification No. F. 27 (1)-46—W, dated the 25th March 1946, namely :—

In the said Order,

1. After Clause 3, the following clause shall be inserted :—

"3-A. (1) Except as hereinafter provided, the opening or licensing of new catering establishments or bakeries is hereby prohibited;

(2) No ration shall be issued to any hotel, restaurant or other establishment which has not obtained the requisite licence from the Municipal or other authority concerned," and

2. After Clause 10, the following clause shall be added :—

"11. Notwithstanding anything contained in this Order, the Controller may, by order in writing, grant exemptions from the operation of any of the provisions of this Order."

No. S. D. 6199—C. 136-47-6, dated Bangalore, the 17th February 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers), Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions imposed on the transport of empty gunnies in Government Notification No. S. D. 3904—C. 86-46-6, dated, 9—10th January 19_5, be withdrawn with effect from the date of publication of this Notification and to further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. C. 2361—Co. 32-47-4, dated Bangalore, the 11th February 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946, as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947, the Government of His Highness the Maharaja of Mysore are pleased to direct that with effect from the date of this Notification the following further amendment shall be made in the Paper Price Control Order, 1945.

Amendment.

For Schedule 1 appended to the said Order the following shall be substituted :—

Schedule

Variety of Paper Col. (1)	*Prices per lb. except where otherwise stated* (*Col.* 2) Rs. a. p.
I. Writing and Printing (Except newsprint) papers—	
(*a*) Bleached, white or cream wove or laid, water-marked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) semi-bleached or buff in substances corresponding to 14 lbs. demy 500's and upwards	0 7 11
(*b*) As in (a) above, but in substances corresponding to substances below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's	0 8 11
(*c*) Unbleached, wove or laid, watermarked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) in substances corresponding to 14 lbs. demy 500's and upwards	0 7 8
(*d*) As in (c) above, but in substances corresponding to substances below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's	0 8 8
(*e*) Ordinary badami wove or laid, watermarked or unwatermarked, machine finished (M. F.) or machine glazed (M. G.) in substances corresponding to 14 lbs, demy 500's and upwards	0 7 6
(*f*) As in (e) but in substances corresponding to substances below 14 lbs. demy 500's with a minimum of 12 lbs. demy 500's ...	0 8 6

Variety of Paper Col. (1)	*Prices per lb. except where otherwise stated Col* (2)
	Rs. a. p.
(*g*) White Bank paper, Bond paper and white or coloured ledger paper including (Azurelaid) conforming to the conditions specified in the proviso to clause 4	0 11 8
(*h*) Coloured Bank paper and Bond paper conforming to the conditions specified in the proviso to clause 4	0 12 8
The varieties for (a) to (d) above are— Printing, Poster, Litho, Map Litho, Imitation, Art, Antique, Ferro Prussiate Base, Account Book, Ahmedabadi, Duplicator Drawing, Cartridge, Offset Cartridge, Creamlaid, White laid, Cream Wove, Legal Blue, Superior Badami, Match Box	
Additional prices for (a) to (d) above for—	
(1) Supercalendered and water-finished or for Rag qualities only, parchment finished ...	0 0 3
(2) Coloured	0 1 0
(3) 10 to 25 per cent Rag furnish	0 1 0
(4) 26 to 50 per cent Rag furnish ...	0 2 6
(5) 51 to 75 per cent Rag furnish ... — Having a maximum ash content of 5 per cent and minimum burst specification of 5 points (Mullen)	0 4 0
(6) 76 to 100 per cent Rag furnish ... — Having a maximum ash content of 5 per cent and minimum burst specification of 5 points (Mullen) above the demy weight in lbs as a result of 6 Mullen tests ...	0 6 0
Qualities referred to in (3) to 6 are:—	
Banks, Bonds, Typewriting, Azure laid ledger, and Cheque book paper—	
(7) Guillotine cutting to sizes below 13¼" by 16½"	0 0 3
(8) Cutting to register	0 0 6
(9) Slitting to narrow reels 16 inches and below	0 0 6
Slitting to narrow reels 8 inches and below ...	0 1 0
Do do 4 inches and below ...	0 1 6
Do do 1 inch and below ...	0 4 0
(10) Embossed or decorated	0 1 0
II Wrapping papers—	
(*a*) Brown wrapping and brown cartridge minimum substance corresponding to 18 lbs. demy 500's	0 7 2

Variety of Paper Col. (1)	*Prices per lb. except where otherwise stated (Col. 2)* Rs. a. p.
(*b*) Machine finished (M. F.) or Machine glazed (M. G.) ribbed or plainkraft or imitation kraft, paper in substances corresponding to 22 × 29=30 lbs. 480's and upwards ...	0 7 9
(*c*) As in (b) above, but substances corresponding to substances below 22×29=30 lbs. 480's with a minimum of 22 × 29 = 36 lbs. 480's.	0 8 9
III. Cover Paper—	
(*a*) Bleached	0 7 11
(*b*) Unbleached	0 7 8
(*c*) Manila for Casing	0 7 11
(*d*) Manila for envelopes	0 7 11
Additional prices for—	
(1) Super calendered or water finished ...	0 0 3
(2) Embossed or decorated	0 1 0
(3) Coloured	0 1 0
IV. Special thin qualities in substances corresponding to substances below 10 lbs. demy 500's—	
(*a*) Toilet paper cut to small sizes ...	0 8 4½
(*b*) Air Mail	0 15 5
(*c*) Manifold	0 15 5
V. Blotting—	
(*a*) Bleached	0 12 2½
(*b*) Unbleached	0 11 11½
(*c*) Coloured	0 13 2½
VI. Boards: (Solid, paste or combination)—	
(*a*) Bleached, semi-bleached or unbleached, cardboard	0 7 11
(*b*) Bleached or unbleached pulpboard ...	0 7 11
(*c*) Bleached or unbleached Manila Board ...	0 7 11
(*d*) Bleached or unbleached paste board ...	0 7 11
(*e*) Duplex board	0 8 ½
(*f*) Triplex board	0 8 ½
(*g*) Ticket board	0 7 9½
(*h*) Grey board	0 6 5½
Additional prices for—	
(1) Coloured	0 1 0
(2) Supercalendered or water finished ...	0 0 7
(3) Water-proofed	0 1 6
(4) Corrugating and Silicating	0 0 3¼ per square foot.

A. S. KHALEEL, *Secy., Food and Civil Supplies Depts.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. P. 6959—Pol. 205-47-4, dated Bangalore, the 19th February 1948.

In exercise of the powers conferred on them by Section 16 of the Criminal Law Amendment Act (Act XIV of 1908), the Government of His Highness the Maharaja do hereby declare Rashtriya Swayam Sevak Sangha (R. S. S.) to be unlawful Association in the Civil Station, Bangalore.

V. VEDAVYASACHARYA, *Chief Secy.*

No. L. 13832—M. L. 128-47-2, dated Bangalore, the 24th February 1948.

Under Section 1 (3) of the Mysore Amusements Tax Act VIII of 1932, and the rules framed thereunder, the Government of His Highness the Maharaja are pleased to direct that the provisions in regard to the imposition of tax on entertainments and other amusements shall come into force within the limits of the T. Narasipur Minor Municipality in the Mysore District, with effect from 1st March 1948.

SYED ABDUL ALEEM, *Rev. Secy.*

ERRATUM.

No. S. D. 6311—C. 14-47-26, dated Bangalore, the 20th—23rd February 1948.

In Government Notification No S. D. 6084—C. 14-47-25, dated 14th February 1948, decontrolling gram, Notification "(2) No. S. D. 6852—C. 132-44-26, dated 7th May 1945", shall be substituted for the Notification "(2) No. S. D. 8324—C. 102-44-35, dated 29th June 1945", noted in the margin.

No. S. D. 6354—C. 21-47-61, dated Bangalore, the 24th February 1948.

In exercise of the powers conferred by Rule 81(2) of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the Mysore Kerosene Control Order, 1942, published under Government Notification No. 11-42—C. S., dated 13—14th October 1942, shall be repealed forthwith and to further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. C. 2435—Co. 39-47-1, dated Bangalore, the 20th February 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (Act XX of 1947) and consequent on the abolition of the Civil Supplies Department ordered in Government Order No. C. 2419-33—Co., 23-46-11, dated 20th February 1948, with effect from 1st March 1948, the Government of His Highness the Maharaja are pleased to direct that the Additional Director of Industries and Commerce in Mysore shall exercise the powers of the Controller of Civil Supplies in respect of Hoarding, Profiteering and Prevention Act, Yarn, Paper, Cement and the Textile Control Orders and the Director of Food Supplies in Mysore in respect of Manure Dealer's Licensing Order with effect from the said date.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 6388—R. 22-47-13, dated Bangalore, the 25th February 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, the Government are pleased to direct that the Mysore Milk (use in the Catering Establishment) Control Order, 1946, issued under Notification No. S. D. 6558—R. 24-45-5, dated the 11th March 1946, be repealed, with effect from the date of publication of this Notification, and further to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the Order shall be given by publication of the same in the official Gazette.

No. S. D. 6398—R. 22-47-14, dated Bangalore, the 25th February 1948.

In exercise of the powers conferred by Sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services, and Miscellaneous provisions (Temporary powers) (Emergency) Act, 1946 the Government are pleased to direct that the

following amendments shall be made in the Mysore Food (Restrictions of services of meals by catering establishments and others) Order of 1946, issued under Notification No. S. D. 6887—R. 18-45-61, dated the 26th March 1946 and that with reference to sub-rule (1) of Rule 119 of the Defence of India Rules notice of these amendments shall be given by publication of the same in the *Mysore Gazette*.—

1. Delete the words "or factories for the manufacture of mineral waters" after the word 'bakeries' in clause 4 of the Order.
2. Delete clauses 10 and 11 of the Order in toto.

The above amendments shall come into force from the date of publication of this notification.

No. S. D. 6281—C. 37-47-33, dated Bangalore, the 27th February 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore, are hereby pleased to direct that the following amendment shall be made in the Civil and Military Station, Bangalore Rationing Order, 1946 :—

AMENDMENT.

In the Schedule annexed to the said Order, the words "Ragi, Jola" shall be deleted.

This amendment shall come into force with immediate effect.

No. S. D. 6289—C. 37-47-34, dated Bangalore, the 27th February 1948.

Under Clause (c) of Sub-section 2 of Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station Bangalore, and continued in the Civil Station, Bangalore by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in Notification

No. 1-1946 (F. D.) dated 18th January 1946, issued by the Collector and Controller of Civil Supplies, Civil and Military Station, Bangalore.

AMENDMENT.

In the Schedule annexed to the said Notification, delete the following :—

Sl. No.	*Name of commodity*		*Wholesale Price.* Rs. a. p.			*Retail Price.* Rs. a. p.		
8.	Ragi	...	15	4	8 per 100 seers.	0	2	8 per seer
9.	Jola (Hyderabad)	...	16	7	6	,, 0	2	10 ,,
10.	Navane and Bajra	...	16	7	6	,, 5 5/8 seers per Rupee		
11.	Korralu	...	11	13	4	,, 7½ seers per Rupee		

This amendment shall come into force with immediate effect.

No. S. D. 6305—C. 37-47-35, dated Bangalore the, 27th February 1948.

In exercise of powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct that Clause 3 (c) of Notification No. S. D. 6108—C. 37-47-26, dated 14th February 1948, shall read and shall be deemed always to have been read as if the words "or Rule 81 (4) of the Defence of India Rules" had been inserted after the words "Articles of Food Acquisition (Harvest) Order, 1944, prior to this omission" and before the words "and any such investigation, etc.," occurring in the said clause.

The amended Clause 3 (c) reads as follows :—

3. That this omission of Ragi and Jola from the Schedule shall not.....

(c) "affect any investigation, legal proceeding or remedy in respect of any such right, privilege obligation, liability, penalty, forfeiture or punishment imposed under the Articles of Food Acquisition (Harvest) Order, 1944, prior

to this omission of Rule 81 (4) of the Defence of India Rules, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Order had not been passed."

A. S. KHALEEL, *Secy., Food Dept.*

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The Mysore Gazette

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EXTRAORDINARY

BANGALORE, TUESDAY, MARCH 2, 1948

NOTIFICATION.

No. R. L. 2033—R. A. 32-47-2C, dated Bangalore, the 2nd March 1948.

Pursuant to the direction contained in the Proclamation of His Highness the Maharaja, dated the 29th day of October 1947, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Constituent Assembly Election Rules, 1948, issued under Notification No. R. L. 1001—H. A. 32-47-1, dated 6th January 1948, namely,—

To sub-rule (3) of rule 48, the following proviso shall be added at the end :—

"Provided that if any two or more candidates standing for election desire that their names should be grouped together, the Returning Officer shall do so in the list required to be published under this sub-rule and in the ballot paper, the names within each such group being arranged in alphabetical order."

By Order,

S. KANAKARATNARAJ,

Legal Remembrancer and Secretary to Government, Law Department.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 6463—C. 107-47-15, dated, Bangalore, the 3rd March 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore and continued under Section 2 of the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, extended by Act No. XI of 1947, and in partial modification of Government Notification No. S. D. 1525—C. 22-46-225, dated 19th August 1947, the Government of His Highness the Maharaja are pleased to prohibit the export of groundnuts (both shelled and unshelled), by rail, road or otherwise from any place in the State to any place outside the State, except under permits issued by the Director of Food Supplies in Mysore, Bangalore.

2. Government further direct that with reference to Rule 119 of the said rules, notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining the provisions.

No. S. D. 6556—C 21-47-70, dated Bangalore, the 5th March 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in the Civil and Military Station, Bangalore Rationing Order, 1946, as amended from time to time.

AMENDMENT.

In the schedule annexed to the said Order the words "and Kerosene Oil" shall be deleted.

This amendment shall come into force with immediate effect.

No. S. D. 6576—C. 21-47-69, dated Bangalore, the 4—5th March 1948.

Under Clause (c) of sub-section 2 of Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in notification No. 1—1946 (FD.), dated 18th January 1946, issued by the Collector and Controller of Civil Supplies, Civil Station, Bangalore, as subsequently amended from time to time.

AMENDMENT.

In the schedule annexed to the said Notification, delete the following:—

Sl. No.	*Name of commodity*	*Wholesale price*	*Retail price*
25	Kerosene Oil	Rs. 4-8-3 per tin of 4 gallons (without tin).	Re. 0-3-6 for one bottle containing 24 fluid ounces Re. 0-1-9 per half bottle

This amendment shall come into force immediately.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. R. 3063—E. D. 48-46-15, dated Bangalore, the 8th March 1948.

Under Clause (c) of sub-section 2 of Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore, are hereby pleased to direct that the following amendment shall be made in Notification No. 1—1946 (F.D.), dated the 10th January 1946, issued by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

Amendment.

In the schedule to the said Notification, delete the following.—

Sl. No.	Name of commodity	Wholesale price	Retail price
		Rs.	Rs. a. p.
28	Match boxes or booklets made in India—	...	
	(1) Containing on an average not more than 40 matches.	...	0 0 5 per unit
	(2) Containing on an average more than 40 but not more than 50 matches.	...	0 0 9 per two units 0 0 6 per unit

This amendment shall come into force with immediate effect.

SYED ABDUL ALEEM, *Rev. Secy.*

No. D. 4643—I. & C. 223-47-3, dated Bangalore, the 11th March 1948.

In exercise of the powers conferred by Section 7 of the Mysore Coffee Market Expansion Act, 1941, and in consultation with the Indian Coffee Board, the Government of His Highness the Maharaja are pleased to direct that the notification No. D. 8316-7—I. & C. 507-44-4, dated 10th May 1946, fixing the prices at which coffee may be sold retail shall be cancelled.

C. E. NORONHA, *Dev. Secy.*

No. R. L. 2302—R. A. 32-47-23, dated Bangalore, the 15th March 1948.

Pursuant to the direction contained in the Proclamation of His Highness the Maharaja dated the 29th day of October 1947, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Constituent Assembly Election Rules, 1948, issued under Notification No. R. L. 1001—R. A. 32-47-1, dated 6th January 1948, *viz* :—

To Rule 14 of the aforesaid rules the following proviso shall be added namely :—

'Provided that nothing in this rule relating to voting in more than one constituency shall be deemed to preclude a person from voting in both the General Constituency and the General Depressed Class Constituency.'

S. KANAKARATNARAJ,
Legal Remembrancer and Law Secy.

No. S. D. 6619—C. 66-47-21, dated Bangalore, the 6th March 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947 and in modification of Notification No. S. D. 5101—C. 66-47- 2, dated 16th January 1948, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of onions to places outside the State imposed in Government Notification No. S. D. 5948—C. 251-43-3, dated 4th March 1944,

be suspended and free export permitted until further orders and to direct with reference to Rule 119 of the said rules that notice of this notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 6 35—C. 46-47-13, dated Bangalore, the 6th March 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947 and in modification of Notification No. S. D. 5089—C. 46-47-10, dated 16th January 1948, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of tamarind to places outside the State imposed in Government Notification No. S. D. 10271, dated 6th March 1943 be suspended and free export be permitted until further orders and to direct with reference to Rule 119 of the said rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 6651—C. 33 17-55, dated Bangalore, the 6th March 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, and in modification of Notification No. S. D. 5070—C. 33-47-42, dated 16th January 1948, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of cattle to places outside the State imposed in Government Notification No. S. D. 6012—C. 145-44-72, dated 2nd April 1945, be suspended and free export permitted until further orders and to direct with reference to Rule 119 of the said Rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

S. D. 6670 -C. 38-47-55, dated Bangalore, the 6th March 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947 and in modification of Notification No. S. D. 5517—C. 38-47-45, dated 23rd—26th January 1948, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the transport of jaggery to places outside the State imposed under the Jaggery Control Order, 1947, issued under Government Notification No. S. D. 4172—C. 22-47-21, dated 6th December 1947, be suspended and free export permitted until further orders and to direct with reference to Rule 119 of the said rules that notice of this notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. SD. 6828—C. 37-47-40, dated Bangalore, the 12—13th March 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous provisions (Temporary powers) Act XX of 1947 and in modification of Government Notifications SD. 5802—C. 37-47-24, dated 5th February 1948 and SD. 5825—C. 37-47-25, dated 5th February 1948, the Government of His Highness the Maharaja are pleased to direct (1) that the export of minor millets, *viz.*, Haraka, Navane, Save and Sajje from any place in the State to any place outside the State be prohibited with immediate effect except under and in accordance with the terms of a permit from the Director of Food Supplies or any officer authorised by him in this behalf and (2) that any infringement or disobedience of the above order or any attempt or abetment thereof shall be punishable with imprisonment of either description up to three years or with fine or with both and the articles involved in the offence shall also be liable to be confiscated to Government.

Government further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

No. R. L. 2362—Legis. 41-47-1, Bangalore, dated 16th March 1948.

Ordered that the accompanying Insurance (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 3rd day of March 1948, be published as Act No. XXIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXIII OF 1948.

THE INSURANCE (AMENDMENT) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 3rd day of March 1948).

An Act further to amend the Insurance Act, 1939.

WHEREAS it is expedient further to amend the Insurance Act, 1939, for the purposes hereinafter appearing;

It is hereby enacted as follows :—

1. This Act may be called the Insurance (Amendment) Act, 1948. Short title.

2. Section 9 of the Insurance Act, 1939, shall be renumbered as sub-section (1) of that section and to the section as so reunmbered the following sub-section shall be added, namely,— Amendment of Section 9, Act XXII of 1939.

"(2) An application under this section shall, if the applicant is carrying on any insurance business in India, be accompanied by a statement to that effect, and in such a case the court shall not order the return of any deposit under this section unless it is satisfied, after giving notice to the Chief Insurance Authority concerned in India, that the liabilities of the applicant in India in respect of the class of business concerned have been satisfied or are otherwise provided for."

3. The Insurance (Amendment) (Emergency) Act, 1947 (XVII of 1947) as continued by the Insurance (Amendment) (Emergency Continuance) Act, 1947 (XXXVI of 1947), is hereby repealed. But any rules made, anything done, and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been made, done or taken in Repeal and Savings.

exercise of the powers conferred by or under this Act, as if this Act had commenced on the 23rd day of April 1947.

K. CHENGALARAYA REDDY,
Chief Minister, in-charge of the current duties of the Dewan.

No. S. D. 6847—C. 117-47-16, dated Bangalore, 15th March 1948.

In exercise of the powers conferred by Rule 75-A and Sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct,—

(1) that the undermentioned Government Notifications prohibiting the transport of charcoal from Taluk to Taluk in Bangalore District and fixing the sale prices of different varieties of charcoal be withdrawn from the date of publication of this Notification:—

(i) S. D. 2923—C. 24-45-35, dated 12—13th November 1945.
(ii) S. D. 1931—C. 25-47-15, dated 5th September 1947.
(iii) S. D. 5620—C. 78-46-90, dated 28—30th January 1948.

(2) that the words "and charcoal" and "or charcoal" and the sale prices noted against it wherever they occur in the Government Notifications noted below be omitted, and—

(i) S. D. 7350—C. 117-44-80, dated 22nd May 1945.
(ii) S. D. 2652—C. 24-45-31, dated 25th October 1945.
(iii) S. D. 2913—C. 117-44-109, dated 10—12th November 1945.
(iv) S. D. 10707—C. 78-46-58, dated 25th June 1947.
(v) S. D. 1973—C. 78-46-74, dated 8th September 1947.

(3) that this withdrawal or omission of charcoal in the said Notifications shall not affect any investigation legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment under any of the provision or provisions contained in the said order or orders noted above and any such investigation legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this order had not been passed.

Government further direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the same be given by publication of the said Notification in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL, *Food and Civil Supplies, Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

S. O.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

GENERAL AND REVENUE SECRETARIAT.

READ.—

G. O. No. D. 10131-42—I & C 182-38, dated, the 25-26th May 1939, passing orders on a three-year plan for the development of Rural Industries in the State.

Letter No. D. 5-88—45-6, dated, 12th January 1946, from the Director of Industries and Commerce, forwarding a further three-year plan for the starting and development of Cottage Industries in the State.

Letter No. D. 5-88—45-46, dated, 13th August 1946, from the Director of Industries and Commerce, submitting further proposals in the matter.

Correspondence ending with letter No. D. 88—45-6, dated 8th October, 1946, from the Director of Industries and Commerce, submitting proposals for undertaking building and constructional works relating to Cottage Industries.

‡(Printed in extenso).

ORDER No. D. 4267-71—I. & C. 510-43-21, DATED, BANGALORE, THE 26TH FEBRUARY 1948.

The question of developing cottage industries as one of the post-war development schemes has been under the consideration of Government for some time past. During the year 1939-40, Government sanctioned the starting of 25 demonstration centres in certain districts in the undermentioned industries and it is reported that by the end of 1944-45 there were 45 centres in all.

1. Tanning.
2. Leather stitching.
3. Flying.
4. Tile-making.
5. Pottery.
6. Coir industry.
7. Village smithy at Closepet.
8. Mat-weaving.
9. Paper-making.
10. Khadi

2. At the instance of the Central Advisory Committee for Rural Development, the Director of Industries and Commerce forwarded certain proposals in June 1944,

for the creation of an organisation in each district for making an exhaustive survey of the conditions of existing industries and the possibilities of reviving defunct or languishing industries and starting new ones, involving an expenditure of Rs. 23,000 per annum. After considering these proposals, the Director of Industries and Commerce was requested to forward a three-year plan for the development of cottage industries.

3. The revised proposals submitted by the Director involve an expenditure, both recurring and non-recurring, of Rs. 6,95,300 (for 45 existing and 23 new centres) and Rs. 8,11,492 (for 68 plus 18 centres), and Rs. 10,72,920 (for 6 plus 21 centres) during the first, the second and the third year, respectively, or a total of Rs. 25,79,721. Against this, it is expected to realise by the sale of articles manufactured at the centres, a sum of Rs. 2,22,120 during the first year, Rs. 3,62,400 during the second year and Rs. 5,51,480 during the third year or Rs. 11,36,000 in all, so that the net expenditure will be (Rs. 25,79,721—11,36,000 or) Rs. 14,43,721 for all the three years. The idea is not only to work the existing centres on intensified lines, but also to increase the number of centres of industries which have proved so far successful, so that by the end of the third year there will be in all 107 centres.

4. Of the 62 new centres proposed to be opened (23 in the first year, 18 in the second year and 21 in the third year), 5 are to be experimental units only, and 9 others commericial units to be worked on a self supporting basis, as noted below. It is also proposed to group, wherever possible, a number of industries in particular areas, *e.g.*, at the Rural Welfare Centres at Closepet Dodballapur and Anandapuram.

Experimental Units.

1. Coir.
2. Hand-paper.
3. Volegari.
4. Inlay work.
5. Brass work.

Commercial Units.

1. Tanning and Flaying.
2. Leather stitching.
3. Tile-making.
4. Pottery.
5. Smithy.

6. Mat-making.
7. Button-making.
8. Lacquer Work, and
9. Rattan Work.

The other important features of the scheme are—

(1) During each of the three years, to train for a period of six months to a year, 60 candidates as instructors for the new centres, giving them a scholarship of Rs. 25 per mensem each (cost Rs. 18,000 per annum).

(2) To keep always in stock two sets of machinery and appliances required for certain industries, to be sold at cost price to those desirous of starting any of these industries (annual grant of Rs. 1,16,700).

(3) To appoint technical experts, with the necessary staff for the undermentioned ten industries to supervise and conduct them on proper lines (cost Rs. 32,400 per annum).

1. Hand-paper making.
2. Leather tanning and stitching.
3. Pottery.
4. Tile-making.
5. Coir and Fibre.
6. Mat and Aloe-Fibre.
7. Smithy.
8. Button making.
9. Lacquer work.
10. Glass Bangle Industry.

(4) To organise a separate section in the Director's Office, under an Assistant Director, to attend solely to the administrative and audit work of Rural Industries Centres (cost Rs. 14,449 per annum).

(5) To conduct a thorough economic survey in each area where rural industries are proposed to be started, the preliminary survey to be done by the District Development Officers and the detailed survey by Technical Experts.

(6) To entrust the work of erecting the buildings required for the centres to the Industries and Commerce Department itself instead of to the P.W.D., an Assistant Engineer with the necessary staff being appointed for the purpose (cost Rs. 4,780 per annum).

(7) To constitute a separate Development Fund for financing these industries, to which will be credited the grants made by Government every year for cottage industries and which will be operated upon by the Director. This is to obviate the lapsing of unspent

balances of budget grants at the end of each official year. The present system of pre-audit of bills by the Comptroller will, however, continue.

(8) Type designs in respect of each industry furnishing the following particulars to be prepared and published in the form of bulletins:—

(i) The natural facilities required to start the industry.

(ii) The processes involved.

(iii) The non-recurring and recurring expenditure.

(iv) Return expected.

5. After further discussions, the Director was requested to forward a modified scheme. He, accordingly, submitted a scheme to run the 68 centres of the first year of the plan, any centres started over and above this number being transferred to the District Boards. Of the 68 centres, those relating to smithy, pottery, mat-weaving, carpet manufacture, hand-paper making, volegari and coir work, were to be grouped in the four Rural Welfare Centres at Closepet, Dodballapur, Anandapuram and Chitaldrug. As against the total expenditure of Rs. 6,95,309 estimated for the first year of the three-year plan, the modified proposals envisage an expenditure of Rs. 8,16,595 (non-recurring Rs. 3,17,105 and recurring Rs. 4,99,490), the extra amount of Rs. 1,21,286 being due to the following items not included in the three-year plan:—

	Non-recurring.	*Recurring.*
	Rs.	Rs.
1. Proposals already submitted and some since sanctioned for development of certain existing centres. ...	75,320	39,086
2. Nine mechanics to work under the District Development Officers for survey work. ...	...	6,480

From the above sum of Rs. 8,16,595, the amount of Rs. two lakhs allocated to the Department from the budget grant for cottage industries and also a sum of Rs. 72,272-13-0 (non-recurring Rs. 53,906-13-0 and recurring Rs. 18,366-0-0) already sanctioned under (1) above, have to be deducted and only the balance has to be given as an additional grant. A sum of Rs. 2,22,120 is expected

to be realised from the sale of the products of the 68 centres.

6. The three-year plan was approved by the Cottage Industries Committee on 27th September 1945. It was also approved by the Policy Committee for Industries and Commerce on 21st December 1945 with an expenditure of Rs. 7,34,705 non-recurring and Rs. 18,42,016 recurring or a total of Rs. 25,76,721 for the three years. The Co-ordination and Finance Committee have also approved the scheme with first priority and recommended that the additional expenditure may be met from the Industrial Development Fund.

7. The Director has forwarded details of the industries to be started during each of the three years and also copies of thirteen type designs with his letter dated 17th December 1945, a copy of which is appended to this order. According to the figures now given, the gross expenditure during each of the three years will be Rs. 8,36,440, Rs. 7,43,644 and Rs. 9,73,596, respectively, or a total of Rs. 25,53,680. The variations from the figures given previously are said to be due to the type designs having been slightly revised. Deducting anticipated realisations, the net expenditure is estimated at Rs. 12,71,150. From the fourth year onwards the recurring expenditure will be Rs. 6,87,976 and the anticipated realisations Rs. 5,64,440, leaving a net expenditure of Rs. 1,23,536.

8. The Comptroller has forwarded a verified proposition statement (appended to this Order) relating to the extra establishment included in the three-year plan for the Director's Office. The extra cost will be Rs. 9,351 per annum, as against Rs. 14,449 included in the plan.

The following new centres, which involve an expenditure of Rs. 86,210, have already been sanctioned and this amount will have to be deducted from the estimated expenditure for the first year:—

1.	*Tanneries* ...	... Idagur Pavagada.
2.	*Leather Stitching*	... Anandapuram.
3.	*Tile-making* ...	... Beilur (Nagamangala Taluk) Bagepalli.
4.	*Coir Work* ...	... Nanjangud.

The Director also states that the ten centres proposed to be started in the Closepet Rural Welfare Centre, as a result of the survey conducted there, may be included

among the sixty-two centres proposed to be started under the three-year scheme. The starting of these ten centres has been recently sanctioned with a non-recurring expenditure of Rs. 16,580 and a recurring expenditure of Rs. 46,080 (net Rs. 14,210). This must also be excluded from the expenditure now to be sanctioned.

9. As regards experts, the following posts have already been sanctioned :—

1. Leather Tanning Expert on Rs. 250 per mensem (the grade proposed in the plan is Rs. 200–20–300).
2. Coir Expert on Rs. 250 per mensem for six months (the grade proposed in the plan is Rs. 150–10–200).
3. Pottery Expert on Rs. 100 per mensem (the grade proposed in the plan is Rs. 150–10–200).

10. The Director has requested that he may be permitted to carry out the building works connected with cottage industries departmentally, as the existing procedure of entrusting them to the Public Works Department involves considerable delay. He suggests that he may be given the power to carry out capital works up to a maximum cost of Rs. 15,000 and repair works up to a maximum of Rs. 1,500 under the supervision of a qualified overseer and also requests that the posts of an Assistant Engineer and his staff asked for in the three-year plan may be sanctioned.

11. Government are pleased to sanction the three-year plan with the modified plan for the first year, barring the sanctions already accorded, as detailed below :—

	Non-recurring	*Recurring*
	Rs.	Rs.
(1) Extra expenditure since sanctioned in existing centres	53,907	18,366
(2) New centres ...	86,210	(recurring and non-recurring).
(3) New centres in Closepet R. W. C. ...	16,580	46,080
(4) Three posts of experts...	...	7,200
Total R. & N. R. ...	2,28,343	

To this must be added the sum of Rs. 4,00,000 allotted for cottage industries during the year 1947-48. The extra expenditure to be incurred during the first year will, therefore, be (Rs. 8,16,595—6.28,343 or) Rs. 1,88,252 against the sum of Rs. 8,16,595 indicated in the plan. The total expenditure on the three-year plan will, as suggested by the Co-ordination and Finance Committee, be

met from the Industrial Development Fund, which stands at present at about Rs. 31,00,000.

The Director's proposal that he may be permitted to carry out the building works departmentally is also approved, provided the cost in each case is not more than Rs. 10,000. The staff required for the purpose may be taken from the Public Works Department on a temporary basis for one year for the present.

The Director is requested to furnish information regarding the expenditure incurred on the existing forty-five (45) centres, the balance of estimated cost for the first year and details for the same.

Government consider that there is no need to open a separate fund account as proposed by the Director. The entire transactions may be exhibited in the budget under separate minor and detailed heads grouped according to the nature of industries, such as tanning, pottery, smithy, mat-making, tile-making, etc., as under:—

28. *Industries and Commerce.*—4. Demonstration and Experiments—Rural and Minor Industries.

(*a*) Supervisory staff:—	Salaries ...	...	
	Establishment	...	
	Contingencies	...	
	T. A.	...	
(*b*) Tanning:—	Establishment	...	
	Wages ...	...	
	Raw materials	...	
	Total	...	
(*c*) Tile making:—	Establishment	...	
	Wages	...	
	Raw materials	...	
	Grand total	...	
Doduct Expenditure met out of Industrial Development Fund ...		...	
	Balance	...	Nil

The lumpsum grant hitherto made for Rural and Minor Industries may be shown as a grant-in-aid to the Industrial Development Fund so as to partly recoup the amount spent out of it, the normal receipts from the centres being shown under suitable detailed heads under "XXII. Industries and Commerce." That portion of the

grant, such as, for instance, the amount spent for the manufacture of machinery and appliances, which is to be entirely recoverable, as also the working advances, may be shown under separate advance heads and not under the revenue heads—"23. Industries and Commerce."

The Director of Industries and Commerce and the Comptroller to Government are requested to discuss the above account procedure and forward separate recommendations for the consideration of Government.

CHARLES E. NORONHA,

Secretary to Government,

Development Department.

To—The Director of Industries and Commerce in Mysore.
The Comptroller to Government through the Financial Department.
The Heads of Departments.
The Deputy Commissioners of Districts.
The Compiler, *Mysore Gazette.*

Copy of letter No. D5-88—45-46, dated, 17th December 1945, from the Director of Industries and Commerce in Mysore, to the Secretary to Government, Development Department, Bangalore.

Subject :—**Three-year plan for the development of Cottage and Rural Industries.**

With reference to your letter No. D. 3696—I. & C. dated 12th November 1945, on the above subject, I have the honour to enclose herein a statement showing the Recurring and Non-recurring expenditure involved on the 23 new Centres proposed to be started during 1945-46 (as also during 1946-47 and 1947-48). The figures furnished in this Statement are based on the details furnished in the 13 type designs copies of which are also enclosed. The figures now furnished vary slightly from those furnished in the statement sent, enclosed with my letter No. D5. 88-45-46, dated 26th September 1945, with which the three-year plan was submitted by me, due to the type designs for each industry having been slightly revised. The net additional grant required towards non-recurring and recurring expenditure during 1945-46 as per statement now enclosed amounts to Rs. 4,96,610.

A proposition statement for the central staff required in my office to attend to the work relating to the three-year plan involving a net extra expenditure of Rs. 9,351 is also enclosed. Two copies of the proposition statement are sent separately to the Comptroller for verification and submission to Government as desired in your letter.

First year 1945-46.

	Particulars	No. of Centres	Non-Recurring	Recurring
			Rs.	Rs.
1.	Existing Centres during the year.	45	17,945	72,715
2.	Proposed Centres during the year.	23	2,27,740	2,10,948
3.	Experts with staff ...	...	...	32,400
4.	Assistant Engineer with staff ...	...	...	4,780
5.	Central Organisation staff (Nett).	...	...	9,351
6.	Scholarships	...	...	18,000

Particulars	No. of Centres	Non-Recurring	Recurring
		Rs.	Rs.
7. Additional grant required for expenditure on the existing centres as per proposals already submitted to Government in some cases, which is not included in the first year's estimate of the three-year plan.	...	75,320	39,486
8. Nine mechanics; one for each District to work under the District Development Officers.	...	...	6,480
9. Working advance to stock two sets of machinery in each industry.	...	...	1,16,700
10. Other expenditure on machinery and remuneration to the Draftsman.	...	...	4,575
Total ...	68	3,21,005	5,15,435
Grand Total ...		8,36,440	
Deduct (a) Grant sanctioned for the year 1945-46 ... 98,000	...		
(b) Anticipated realisations for the year 1945-46... 2,41,830	68		
		3,39,830	
Net ...		4,96,610	
SECOND YEAR 1946-47.			
Existing Centres	68	...	2,83,663
Proposed Centres	18	2,15,320	1,40,552
Total ...	86	2,15,320	4,24,215
Other Establishments.			
Experts, etc., ... 32,400			
Assistant Engineer ... 4,780			
Office ... 14,449			
Scholarships ... 18,000			
Mechanics ... 6,480			
	...	...	76,109
Anandapuram	...	...	21,000
Wool Machinery	...	...	7,000
	...	2,15,320	5,28,324
Total ...		7,43,644	

Particulars		No. of Centres	Non-Recurring	Recurring
Deduct Receipts —				
I. Year ...	2,41,830	86	...	
II. Year ...	1,36,430			
			3,78,260	
Net ...			3,65,384	
THIRD YEAR 1947-48.				
Existing Centres		86	...	4,24,215
Proposed Centres		21	2,85,620	1,87,652
Total ...		107	2,85,620	6,11,867
Other Establishments ...		...	...	76,109
Total ...		...	2,85,620	6,87,976
Grand Total ...			9,73,596	
Receipts.				
I and II Years ...	3,78,260	107		
III Year ...	1,86,180			
	Rs. 5,64,440		5,64,440	
Net ...			4,09,156	

ABSTRACT.

Net for three years.

I. Year ...	4,96,610	IV. Year and onwards.	
II. Year ...	3,65,384		
III. Year ...	4,09,156	Recurring ...	6,87,976
		Receipts ...	5,64,440
Total ...	12,71,150		
		Net ...	1,23,536 or Rs. 1,25,000

Statement showing the Non-Recurring and Recurring Expenditure on the Existing and Proposed Cottage Industry Centres.

Serial Number	Name of Industry	No. of Centres	Existing Centres 1945—46 Expenditure N. R.	Existing Centres 1945—46 Expenditure R.	Existing Centres 1945—46 A. R.	Number	Proposed Centres 1945—46 Expenditure N. R.	Proposed Centres 1945—46 Expenditure R.	Proposed Centres 1945—46 A. R.	Number	Proposed Centres 1946—47 Expenditure N. R.	Proposed Centres 1946—47 Expenditure R.	Proposed Centres 1946—47 A. R.	Number	Proposed Centres 1947—48 Expenditure N. R.	Proposed Centres 1947—48 Expenditure R.	Proposed Centres 1947—48 A. R.	Total No. of Centres
1	Village Tanning... ...	3	550	5,470	2,000	2	35,700	27.200	12,200	...	...	...	...	...	...	...	...	5
2	Flaying	2	...	600	...	3	600	500	...	...	...	...	...	...	...	...	...	5
3	Leather Stitching ...	1	30	3,560	2.000	1	6,500	16,500	13,800	1	6,500	16,500	13,800	2	13,000	33,000	27,600	5
4	Tile-making	...	...	1,110	...	2	57,600	19,600	29,880	1	28,800	9,800	14,940	1	28.800	9,800	14,940	4
5	Pottery with glazing kiln ...	1	150	4,810	2,400	...	...	...	...	2	48,400	11,200	...	2	48,400	11,200	...	5
6	Pottery	3	220	5,090	1,207	...	...	...	...	2	14,880	8,488	3,840	2	14,880	8,488	3,840	7
7	Coir Industry	3	80	3,430	3 000	...	...	...	...	...	...	...	...	...	...	...	...	3
8	Coir Industry Verghese' Scheme	...	...	...	...	1	3,500	35,760	36,000	...	...	...	...	...	...	...	...	1
9	Village Smithy	3	900	4,870	5,000	1	6,900	5.528	9,600	3	20,700	16,584	28,800	3	20,700	16,584	28,000	10
10	Mat Weaving	14	1,985	14.345	10'000	4	14,000	24,000	24,000	2	7,000	12,000	12,000	2	7,000	12,000	12,000	22
11	Handmade Paper.—																	
	(a) Large Scale ...	...	...	...	...	1	50,700	20,820	27,000	1	50,700	20,820	27,000	2	1,01,400	41,640	54,000	4
	(b) Small Scale ...	4	9,500	14,620	8,000	1	13,100	9,780	9,750	1	13,100	9,780	9,750	2	26,200	19,560	19,500	8
12	Button-msking	2	300	910	800	2	12,600	8,160	7,800	1	6,300	4,080	3,900	1	6,300	4,080	3,900	6
13	Braids and Shoe Laces ...	2	1,360	2,660	1,800	...	...	...	...	...	...	...	...	...	...	...	...	2
14	Brass Works	1	2,150	1,600	1,200	1	7,600	10,800	7,200	...	...	...	...	...	...	...	...	2
15	Lacquer work	1	100	870	100	2	9,540	17,040	14,400	2	9,540	17,040	14,400	2	9,540	17,040	14,400	7
16	Rattan work	3	450	7,240	3,600	1	4,000	4,260	3,000	1	4,000	4,260	3,000	1	4,000	4,260	3,000	6
17	Carpentry	1	150	950	400	1	5,400	10,000	5,000	1	5,400	10,000	5,000	1	5,400	10,000	5,000	4
18	Inlay work	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
19	Volegari work	1	20	580	300	...	...	...	...	...	...	...	...	...		...	...	1
	Total ...	45	17,945	72,715	42,200	23	2,27,740	2,10,948	1,99,630	18	2,15,320	1,40,552	1,36,430	21	2'85,620	1,87,652	1,86,180	107

N. R. Denotes—Non-Recurring. R. Denotes—Recurring. A. R. Denotes—Anticipated Realisations.

NUMBER—1.

WORKS: FOR 12 WORKERS.

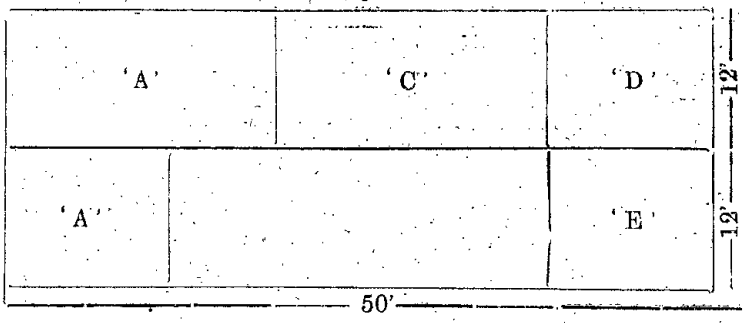
EXPENDITURE.

'A' Non-recurring.

Buildings :— Rs.

(*a*) Cost of acquisition of land 400

(*b*) Construction of sheds as per sketch.. ... ...



'A', Office	...	12'×12'	
'B', Moulding Section	...	20'×12'	
'C', Workshop Section	...	20'×12'	
'D', Brass Furnace	...	12'×10'	
'E', Store Room	...	12'×10'	5,000

Equipment :—

(*a*) *Tools* :—

1.	Mould Boxes, 36 at Rs. 5 each	180
2.	Moulding Tools, 12 Sets at Rs. 5 each set ...	60
3.	Leg Vices, 3, at Rs. 80	240
4.	Bench Vices, 3, at Rs. 30	90
5.	Hand Power Drilling Machine, 1.	250
6.	Polishing Machine, 1, at Rs. 150	150
7.	Brass-melting Furnace with Chimney to melt upto 2 Cwts. 1	350
8.	Fan (Buffalo) for hand-power, 1	125
9.	Sledge-Hammers, 10 lbs., 2, at Rs. 7-8-0 ...	15
10.	Ball Pane Hammers, 1½ lb., 1 lb. 2 lb., 3 each ...	14
11.	Spanners, 1 Set	25
12.	Screw-Drivers 3, at Rs. 2	6
13.	Hack Saw Frame, 1, at Rs. 10	10
14.	Callipers inside and outside, 3, at Rs. 2 ...	6
15.	Smith's Bellows, 2, at Rs. 50	100
16.	Iron Pots, 3, at Rs. 5	15
17.	Tool Boxes, 6, at Rs. 15	90
18.	Work-bench, 1, at Rs. 40	40
19.	Crow Bars, 2, at Rs. 7	14
20.	Showels, 3, at Rs. 8	24
21.	Mumties (3) Rs. 10, Pic-axes (3) Rs. 10 ...	20

			Rs.
22.	Iron Pans, 3, at Rs. 5	... ...	15
23.	Steel Foot Rule, 2', 2, at Rs. 4	... ...	8
24.	Balance with scales and a set of Weights, 1	...	60
25.	Miscellaneous Tools	... ...	93
		Total ...	2,000

(b) *Furniture*:—

Tables (2)	...	Rs. 80
Chairs (2)	..	„ 30
Stools (2)	...	„ 10
Almirah (1)	...	„ 80
Total	...	200

Total Non-Recurring Expenditure ... 7,600

'B' Recurring.

a) *Raw-Materials*—

		Rs.
Raw-materials (details not available)	...	500

(b) *Wages*:—

12 Workers at annas 12 a day for 25 days	...	225

(c) *Establishment*:—

1 Mechanic on	...	Rs. 50		
1 Moulder	...	„ 50		
1 Fitter	...	„ 30		
1 Helper	...	„ 15		
1 Watchman	...	„ 12		
Contingencies	...	„ 3		
			160	
		Total	... 885 or 900	900 P.M.

Realisations anticipated:—

(Details not available) Output of finished-goods	...	600 „
Net expenditure per month	...	300 „

Note.—Estimates are based on the figures furnished by the Superintendent of Industries, Bangalore Division and the same not verified from data collected on the work-spot.

ABSTRACT OF ESTIMATES OF EXPENDITURE RELATING TO THE THREE-YEAR PLAN OF DEVELOPMENT OF COTTAGE INDUSTRIES.

1. Brass Works

Expenditure

1. Non-recurring :—			Rs.	
(a) Buildings including cost of acquisition ...			5,430	
(b) Equipment:— Tools	Rs.	2,000		
Furniture	,,	200	2,200	Rs.
				7,600
2. Recurring :—				
(a) Raw-materials ...			6,000	
(b) Wages ...			2,700	
(c) Establishment ...			2,100	
Total ...				10,800 P.A.
3. Anticipated Realisations ...				7,200 ,,
4. Net Expenditure ...				3,600 ,

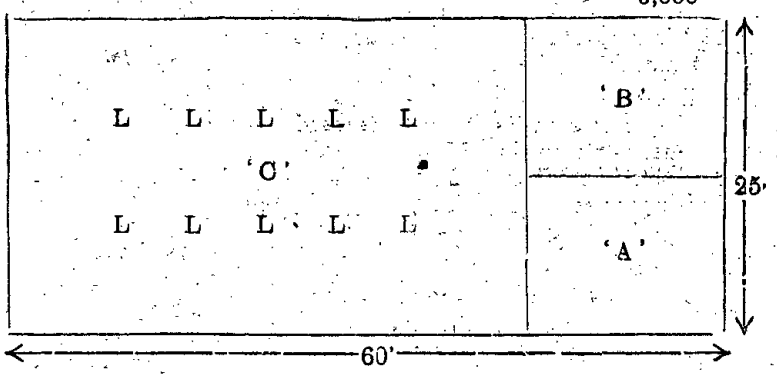
NUMBER 2.

MAT-WEAVING FOR 12 WORKERS.

Expenditure.

'A' *Non-Recurring.*

1. Buildings—	
	Rs.
(a) Cost of acquisition of land	250
(b) Construction of Sheds as per sketch— Plinth area 1,500 Sq. ft.	2,750
	3,000



2. Equipment—

(a) Tools—

	Rs.
Mat-looms, 10, at Rs. 9	90
Mat-Weaving Reeds (4½'), 15, at Rs. 8 ...	120
Weed cleaning Knives, 12, at As. 8 ...	6
Work-boards, 1½' ×9"×4", 10, at Rs. 3 ...	30
Mat-weaving shuttle or rod, 10, at As. 10 ...	6¼
Thaklies, 10, at As. 10	6¼
Brass Vessels for dyeing weeds, 2 at Rs 20	40
G. I. Bucket, 1, at Rs. 4	4
Miscellaneous Tools	7½
	310

(b) Furniture—

	Rs.	
Table 1 ...	40	
Chairs 2 ...	30	
Almirah 1 ...	80	
Box 1 ...	20	
		170

Total non-recurring expenditure ... 3,480 or 3,500

'B' *Recurring.*

1. Raw-materials—

Mat-weeds (at As. 8 per mat per Loom) per day	125		
Dyes for colouring weeds	16		
Warp-thread (at 4 per mat) 63 Lbs. at Rs. 1-9-0	98	7	0
Miscellaneous items	10	9	0
	250	0	0

B. F. (Recurring Charges) ... 250

2. Wages—

12 Workers at As. 8 a day for 25 days in a month 150

3. Establishment—

1 Supervisor on Rs. 50 per mensem
1 Instructor on Rs. 30 ,,
1 Peon Rs. 12 ,,
Contingencies Rs. 3 ,,

95

Total. 495 or 500

500 per mensem

Realisations anticipated—

From monthly output of 250 Mats at Rs. 2 per mat	...	Rs. 500 per mensem
Net Expenditure	...	...

(From data collected from the Mat-Weaving Instructor, C. I. W., Bangalore).

2. MAT WEAVING.

Expenditure.

1. Non-Recurring—				
(a) Building (Sheds) including cost of acquisition of land	...		Rs. 3,000	
(b) Equipment : Tools...	Rs. 320			
Furniture, etc. ...	180			
			500	
				Rs. 3,500
2. Recurring—				
(a) Raw-materials ...	...		3,000	per annum
(b) Wages ...	...		1,800	,,
(c) Establishment ...	...		1,200	,,
				6,000 p. a.
3. Anticipated Realisations	...			6,000 ,,
4. Net expenditure	...			...

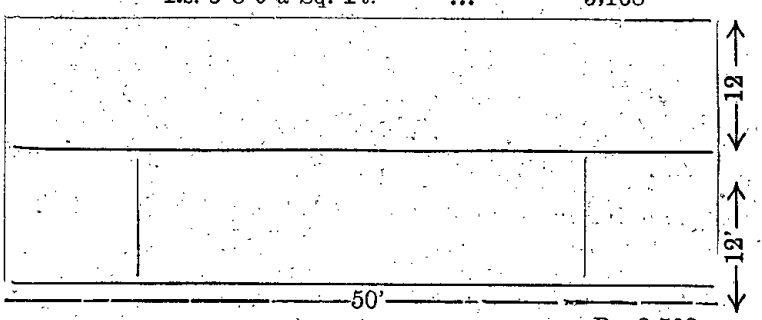
NUMBER 3.

RATTAN WORK FOR 12 WORKERS.

EXPENDITURE.

'A' *Non-recurring.*

(a) Buildings—	Rs.
(1) Cost of acquisition ...	400
(2) Construction of Sheds as per Sketch : Plinth Area, 888 Sq. Ft. at Rs. 3-8-0 a Sq. Ft. ...	3,108



Rs. 3,508
or 3,500

Rs. 3,500

(b) Equipment—

(1) Tools—

1.	Steel Knives, 6, at Rs. 2-8-0 each ...	15
2.	Rattan Cleaning Knives, 24, } at As. 6 each	18
3.	Rattan Splitting Knives, 24, }	
4.	Rattan Needles, 24 at As. 4 each ...	6
5.	B. W. Foot Rule, 2'—4 F, 2, at Rs. 2–8–0	5
6.	Cutting Plier, 6", 2, at Rs. 4-0-0 ...	8
7.	Claw Hammer, 1-1/2 Lbs., 2, at Rs. 3-8-0	7
8.	Hand-Saw, 1-1/2', 2, at Rs. 5-0-0 ...	10
9.	Half Round Wood Rasps, 12", 3, at Rs. 2-8-0	7½
10.	Flat Files, 12", 3, at Rs. 2-8-0 ...	7½
11.	Triangular Files, 6", 6, at Rs. 1-8-0 ...	9
12.	G. I. Bucket, 2, at Rs. 4-0-0 ...	8
13.	Iron Frame and Back Moulds for different types of Chairs, 4, at Rs. 12-8-0 ...	50
14.	Carpenter's Brace, 10", 2, at Rs. 10-0-0 ...	20
15.	Cistern built of brick in mortar and Cement plasteed for soaking Handi Betta 12' × 2¼' × 2'	1 50
16.	J. W. Almirah for Tools, 1, ...	50
17.	Work Stools, 1½' × 1½', 12, at Rs. 4-0-0 ...	48
18.	Rattan bending Rollers, 9', 1–S ...	12
19.	Miscellaneous Tools ...	19

(2) Furniture—

2	Tables	...	Rs. 60	
2	Chairs	...	30	
1	Almirah	...	60	150
				500

Total Non-recurring Expenditure ... Rs. 4,000

'B' *Recurring.*

(1) Raw-Materials—

Handi Bethas, 250 per month	Rs 30
Halu Bethas and Kiralu Bethas, 900 per month	70
Other materials ...	20
	120 p. m.

(2) Wages—

12 Workers at As. 8 a day for 25 days in a month ...	150 ,,

(3) Establishment—

1	Supervisor on ...	Rs 40 per mensem	
1	Clerk ...	30 ,,	
1	Peon ...	12 ,,	
	Contingencies ...	3 ,,	
			85 ,,

Total Recurring Charges ... 355
or 4,260 p. a.

		Rs.
Realisations anticipated—		
Output of finished goods	per mensem	250
		3,000 p. a.
Net expenditure		Rs. 1,260 p. a.

Note :—This provides a rough estimate of expenditure based on figures given in part by the Superintendent, Industrial School, Hassan.

3. RATTAN WORK.

Expenditure.

			Rs.	Rs.
1. Non Recurring—				
(a) Building including cost of Acquisition			3,500	
(b) Equipment. Tools ...		Rs. 350		
Furniture....		150		
			500	
Total.	...	...		4,000
2. Recurring—				
(a) Raw-materials	...per mensem		1,440	
(b) Wages	...	,,	1,800	
(c) Establishment	...	,,	1,020	
Total.	...			4,260 p. a.
3. Realisations anticipated	...			3,000 ,,
4. Net Expenditure.	...			Rs. 1,260 ,,

NUMBER 4.

HAND-MADE PAPER CENTRE FOR 30 WORKERS
(Large Scale).

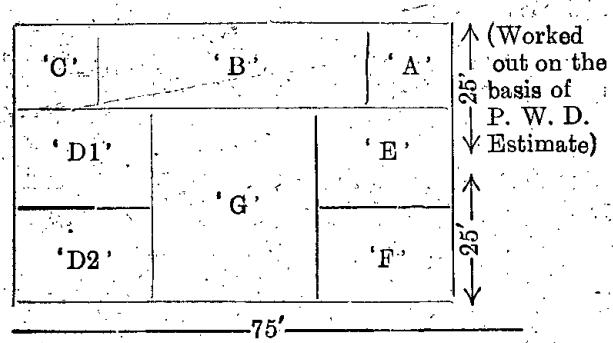
PRODUCTION :. 120 Lbs. OF SUPERIOR PAPER PER DAY.

EXPENDITURE.

"A" Non-Recurring :

	Rs.
1. Buildings:—	
(a) Cost of acquisition	1,000
(b) Construction of sheds built of walls brick in mud and of roofing of asbestos sheets as per sketch : built up.	

Plinth area, 3,125 sq. ft. at Rs. 6-8-0 per sq. ft Rs. 20,317
or 20,300



'A' Accommodation for Boiling and Digestion, 25′ x 15′
'B' Accommodation for washing, pulp-making, sheet-lifting and drying, 25′ x 40′;
'C' Accommodation for Glazing, Cutting and Finishing processes. 25′ x 25′
'A', 'B', 'C'—One long open shed
'D¹', Stores, 25′ x 12½′
'D²', Office, 25′ x 12½′
'E', Fuel Stores, 25′ x 12½′
'F', Extra accommodation for wet processes, 25′ x 12½′ Rs. 21,300

2. Equipment :(a)—

1.	Keer type open Boiler for digesting Straws and grasses and paper cuttings which are bulky, 2, at Rs. 775 each ...	1,550	...
2.	Twenty-gallon capacity digestors with safety valve, with provision for fixing a pressure guage, a thermometer and a steam exit 2, at Rs. 650 each ...	1,300	...
3.	Power Beaters for pulp-making, 2 at Rs. 1,200 each ...	2,400	...
4.	Erection and Masonry work for beaters 2s. ...	600	...
5.	Electric Motor, 15 H. P. (one) with accessories ...	2,500	...
6.	Paper-lifting Vats of G. I. or wood, 4, at Rs. 300 ...	1,200	...
7.	Work Tables, 8, at Rs. 30 ...	240	...
8.	T. W. Boards, 3-½′ x 2-¾′ x 1″, 12, at Rs. 20 ...	240	...
9.	Paper lifting moulds and deckle, 8, at Rs. 50 ...	400	...
10.	Napkins, 2,000 at As. 8 ...	1,000	...
11.	Rope for drying, 6 at Rs. 30 ...	180	...
12.	Drying Chambers of G. I. sheet. 2, at Rs. 450 ...	900	...

		Rs.	Rs.
13.	Boiler for the Drying Chamber, 1, Rs. 400 ...	400	...
14.	Heavy Screw-Press for dry-pressing (1) Press for wet-pressing (2), 3, at Rs. 1,000 ...	3,000	...
15.	Tub-sizing Trays, 2, at Rs. 50 ...	100	...
16.	Plate-glazing calendar of heavy pressure with plates suitable for mineral and power operation, 1, at Rs. 2,000	2,000	
17.	Electric Motor to run the Plate Glazing Machine, 2 H. P. 1 at Rs. 400	400	...
18.	Jyothi Paper cutting machine, 30″ (to be got from Baroda) 1, at Rs. 3,000	3,000	....
19.	Electric-motor and accessories to work the cutting machine, 1 at Rs. 400 ...	400	...
20	Envelope-making press and 4 sets, of dies, 1, s. ...	1,000	...
21.	Shafting and Pulleys ...	800	...
22.	Miscellaneous items like thermometer, balances and weights, vessels, spanners, scissors, clips, printing machine, gunny bags, etc. ...	1,000	...
		24,610 or 24,600	
(b)	Power, Light and Water-supply—		45,900
	1 pump to lift water from the well and an overhead tank for water storage and pipe line (to provide water supply at 700-800 gallons per hour) ...	1,500	...
	Electric power connections and lights ...	2,000	...
	Construction of soak pit, ovens, drains, etc. ...	800	...
		4,300	4,300

(c) Office-furniture—	Rs.	a.	p	Rs.	Rs.
3 tables at 36 each ...	108	0	0		
3 Chairs ...	34	8	0		
3 Side-benches ...	87	0	0		
1 Box ...	19	8	0		
2 Benches ...	31	0	0		
4 Stools ...	22	0	0		
Racks for paper, etc. ...	180	0	0		
Freight ...	18	0	0	500	500

Abstract of Non-recurring Expenditure—

1.	Buildings	21,300	
2.	Equipment, tools and machinery ...	24,600	
3.	Electric power connections and water supply arrangements ...	4,300	
4.	Furniture ...	500	
	Total ...	50,700	50,700

"B" Recurring.

		Rs.	Rs.
1. Raw-materials—			
(a) Raw-materials like straw, rags, etc. and chemicals like caustic soda, bleaching powder, etc. ...		900 p. m.	
(b) Miscellaneous production charges ...		50 ,,	
		950 ,,	
2. Wages—			
10 workers at Rs. 25 p.m. (average) Rs.	250		
20 workers on daily wages at As. 12 a day for 25 days in the month	375		
	625		625 p. m.
3. Establishment—			
1 Senior Demonstrator on Rs. 60 per mensem			
1 Junior Demonstrator on Rs. 40 ,,			
1 Accounts Clerk on Rs. 30 ,,			
2 attendars on Rs. 15 each ,, 30 ,,			
	160	160	
		1,735 p.m.	Rs. 20,820 per year.
Realisations anticipated—			
Output.—120 lbs. of superior quality of pulp at As. 12 a lb. or at Rs. 90 per day for 25 days in the month ...		2,250 p.m. or	27,000 p. a.
Deduct Depreciation at 10 per cent on equipment, *viz.*, 34,400 per year ...	Rs. 3,440		
Depreciation at 7½ per cent on the cost of buildings, *viz.*, 21,300, 1,597 or 1,600	,, 1,600		
	Total Rs. 5,040	5,040	
Depreciation is not included in expenditure			
Profits anticipated			6,180 p. a.

Note.—The estimates noted here are those furnished by the Supervisor, Hand-made Paper Centre, Central Industrial Workshop, Bangalore.

4. PAPER-MAKING.

(Of Hand-made Paper) Large Scale Unit.

Expenditure.

	Rs.	Rs.
1. Non-recurring—		
(a) Buildings including cost of acquisition of land ...	21,300	...

	Rs.	Rs.
(b) Equipment.		
Machinery like Electric Motor, Boilers, Power Beaters, Glazing Calendar, etc. ...	24,600	...
Power, Light and Water Supply connections ...	4,300	...
Furniture ...	500	...
Total ...		50,700
2. Recurring—		
(a) Raw materials	11,400 p. a.	
(b) Wages	7,500 ,,	
(c) Establishment	1,920 ,,	
Total ...		20,820
3. Anticipated Realisations... ...		27,000
4. Net Profits estimated		6,180

NUMBER 4 (a).

HAND-MADE PAPER CENTRE FOR 12 WORKERS.

(SMALL SCALE.)

1. Equipment.—

		Rs
An open drum	...	40
Hand-beater and erection	...	600
Vats, 2	...	600
Tables, 3, at Rs. 30 each	...	90
Boards 8 at 20 each	...	160
Paper lifting moulds and deckles, 4 sets	...	200
Napkins, 1000	...	500
Clips	...	120
Rope for drying	...	90
Heavy Screw Press, one	...	1,000
Tube sizing, etc.	...	100
Glazing Machine	...	2,000
Furniture and Racks, etc.,	...	200
Miscellaneous articles like Buckets, Balance, etc.		800
Total	...	6,500

2. Expenditure.—

Non-recurring.—

1. Acquisition	...	500
2. Building, 80′×20′ *i.e.* 1,600 sq. ft.	...	4,800
3. Well and Pipe	...	500+400
4. Internal construction	...	400
Total	...	6,600

		Rs.
Recurring.—		
Establishment.—		
1. Demonstrator	...	40 p.m.
1. Foreman	...	25 ,,
1. Attender	...	15 ,,
Total	...	80 ,,
Wages.—		
12 Workers on as. 10 per day for 25 days in a month	...	187-8-0 p.m.
Extra Wages	...	12-8-0 ,,
Total	...	200 ,,
Raw-Materials.—		
Pulp (from Pulp Centres) and other raw-materials	...	500 ,,
Other production and miscellaneous charges	...	35 ,,
Total	...	815 ,,
Realisations.—		
2½ reams of paper per day or 62½ reams at Rs. 13, all in Pads of letter paper and envelopes and other fancy things which can be manufactured easily	...	812-8-0 p.m.
Profit	...	2-8-0 ,,

4(a) PAPER-MAKING (of Hand-Made Paper).

Small Scale Unit

Expenditure.

1. Non-recurring.—			
(a) Buildings including cost of acquisition of land and construction of a well and a pipe-line	...	6,600	
(b) Equipment including Glazing Machine, Screw Press, etc.	...	6,500	
			13,100
2. Recurring.—			
(a) Wages	...	2,400 P.A	
(b) Raw-materials	...	6,420 ,,	
(c) Establishment	...	960 ,,	
Total	...		9,780 p.a.
3. Realisations anticipated	...		9,750 ,,
4. Net Expenditure	...		30 ,,

NUMBER 5.

POTTERY WITH GLAZING KILN.

NON-RECURRING.

Buildings.—		
	Rs.	
(a) Cost of Aquisition ...	600	
(b) Buildings proper ...	14,745	
(c) Kiln ...	7,000	
	22,345	
Equipment.—		
(a) Ordinary	1,100	
(b) Equipment of Glazing Kiln	400	
	1,500	
(c) Furniture ...	350	=24,200

RECURRING.

Raw-material ...	720	per year
Wages ...	3,600	,,
Establishment ...	1,284	,,
Expenditure ...	5,604	,,

N.B.—The cost of the Kiln provided, *viz.*, Rs. 7,000 is very approximate and not based on any estimate of the Pottery Expert.

5. POTTERY WITH GLAZING KILN

EXPENDITURE.

1. Non-recurring.—

		Rs.	Rs.
(a) Buildings including cost of acquisition of land and the construction of a Glazing Kiln ...		22,350	
(b) Equipment—Tools ...	Rs. 1,500		
Furniture ...	350		
		1,850	
Total ...			24,200

		Rs.	Rs.
2. Recurring.—			
(a) Raw-materials	...	720 p.a	
(b) Wages	...	3,600 ,,	
(c) Establishment	...	1,284 ,,	
Total	...	5,604 or	5,600
3. Anticipated Realisations			
4. Net Expenditure	...		5,600

NUMBER 6.

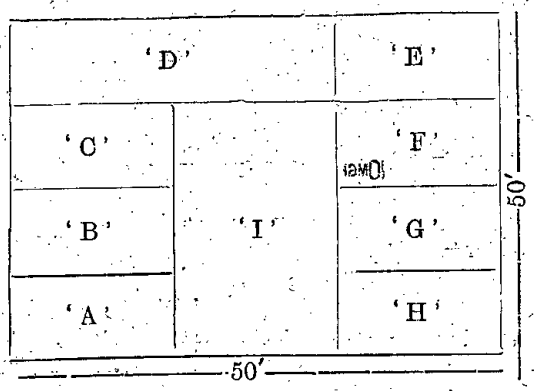
POTTERY CENTRE.

1. To train between 12 and 24 students with 2 skilled workmen and one Potter working along with students.
2. Period of training for each batch ...6 months.

EXPENDITURE.

'A' Non-recurring.

1. Buildings.—			
Cost of Acquisition, L.S.	...	600	600
Cost of construction of gabled sheds, etc. as per sketch			
Total plinth area, 1,605 sq. ft. at Rs. 3 per sq. ft.	...	4,815	
Well	...	300	
		5,115	5,400
Pump with a pipe-line	...	285	
		5,400	



'A', Clay Pit (for stacking clay)		15'×15'×3'(D)
'B', Clay washing shed	...	8'×15'
'C', Potter's Wheel	...	12'×15'
'D', Moulding Section	...	35'×15'
'E', Kiln (with covered shed)	...	15'×15'

			Rs.
'F' & 'H', Finished Stock and Sales Room each	...	15′×10′	
'G', Office Room	...	15′×12′	
'I', Well			
			6,000

2. Equipment.—

(a) Tools.—

1. Plaster of Paris Moulds (of improved saucers, Tea-kettles, Tumblers with handles, milk-jugs, Toys of 6 varieties) 12 sets of each variety of 12 types of articles P.P. 144×15 lbs. *i.e.*, 2,160 or 3/4 T.	...	Rs. 375		
Labour	...	,, 100		
G. C.	...	,, 25		
		500	500	
2. Turn-tables, 3 at Rs. 30 each	...		90	
3. Potter's wheel, 4′—5′ (D), 1 at Rs. 10 each.			10	
4. J. W. Planks for moulds, 5′×1′, 25 at Rs. 3 each	...		75	
5. J. W. Racks for green and burnt articles, 40′×6′×1½′ in pieces, L.S.	...		225	
6. Wooden Water-tubs (25 Gals.), 6, at Rs. 20 each	...		120	
7. G. I. Buckets, 6, at Rs. 5 each	...		30	
8. Brass or Copper wire Gauze (80 mesh.) 3 per at Rs. 2 each	...		6	
9. Miscellaneous Tools	...		44	
			1,100	1,100

(b) Furniture.—

T. W. Table with 2 Drawers 4′×2½′×2½ 2 at Rs. 50 each	...	100	
T. W. Almirah, 6′×3′×1½′, 1 at Rs. 100	...	100	
,, Chairs, 2 at Rs. 16	...	32	
,, Stools, 1½′×1½′×1½′, 2 at Rs. 5	...	10	
,, Box, 2½′×1½′×1½′, 1 at Rs. 40	...	40	
,, Time Pieces, Locks, etc.	...	58	
		340	340
Total	...		7,440

Abstract of Non-recurring Expenditure.—

		Rs.	Rs.
(a) Buildings	...		6,000
(b) Equipment.—			
1. Tools	...	1,100	
2. Furniture	...	340	
			1,440
Tota	...		7,440

'B' Recurring.

1. Raw-materials.—

		Rs.	Rs
Clay :—1 Ton or 2 Cartloads per month at Rs. 4 a Ton	...	4	
Sodium Silicate, 6 at as. 3 a Ton	...	1-2-0	
Fuel (for 2 burnings per month) at Rs. 10 per burning	...	20	
Miscellaneous materials	...	4-14-0	
		30	360 P.A.

2. Wages and Scholarships.—

2 Workmen at as. 10 a day for 26 days	..	32½	
1 Potter at Re. 1 do	...	26	
12 Scholarships at as. 8 do	...	156	
		214½	
		or 215	2,600 ,,

3. Establishment.—

1 Supervisor on Rs. 60 P.M.			
1 Clerk ,, 30 ,,			
1 Peon ,, 12 ,,			
Contingencies ,, 5 ,,			
		107	1,284 ,,
Total	...		4,244 ,,

Abstract of Recurring Expenditure.—

1. Raw-materials	...	360
2. Wages and Scholarships	...	2,600
3. Establishment	...	1,284
Total	...	4,244 P.A.

Realisations anticipated.—

From Workmen.—

From 2 burnings at Rs. 60 per load of the kiln	...	120 P.M.	
From Trainees work	...	40 ,,	
		160 ,,	or 1,920 P.A
Net recurring expenditure			2,324 ,,

N.B.—From Data collected on the spot in consultation with the Pottery Expert.

6. POTTERY CENTRE WITHOUT GLAZING KILN.

EXPENDITURE.

		Rs.	Rs.
1. Non-recurring.—			
(a) Buildings including cost of acquisition of land, of pump and pipe line.		6,000	
(b) Equipment :—Tools	Rs. 1,100		
Furniture	,, 340		
		1,440	
			7,440
2. Recurring.—			
(a) Raw-materials		... 360 P.A.	
(b) Wages		... 2,600 ,,	
(c) Establishment		... 1,284 ,,	
Total		...	4,244 P.A
3. Realisations anticipated		...	1,920 ,,
4. Net Expenditure		...	2,324 ,,

NUMBER 7.

RURAL SMITHY CENTRE (ON THE LINES OF THE CLOSEPET CENTRE) TO TRAIN 15 WORKERS.

METHOD OF WORK FOLLOWED.

Forging and smithying proper are done by one set of workers and the forged articles are finished or assembled by a separate set of workmen.

Each set for a Forge consists of 4 workmen, *viz.*, 1 Smith, 2 Hammermen and 1 Bellow-boy, and 3 Forges or 3 such sets of workers constitute a Unit employing 12 workers. The forged work of these sets are finished or assembled by an additional number of 6 Fitters.

Hammermen and Fitters are proposed to exchange their functions once in 6 months to provide an all-round training in these processes, for all the trainees.

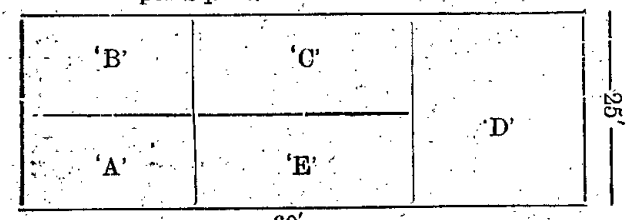
2. *Kinds of articles manufactured are.*—Mysore and Kolar Ploughs and parts thereof (About 11 forged pieces, 1 Cast-piece and 1 Wooden beam) and articles of domestic utility such as Ovens, Thavas, Bondles, Spoons, Sickles, Axes, Bullock and Horse-shoes.

3. *Manufacture and marketability.*—The above types of articles are manufactured for stock and when stock accumulates, the Central Industrial Workshops will arrange for distribution of Agricultural Implements among the Implement Depots in the State, after receipt of requisition from the Director of Agriculture, as in the case of the Closepet Smithy Centre. Articles of domestic utility are expected to find local sales in the concerned Centres.

Estimate of Expenditure

'A' Non-Recurring,

			Rs.	Rs.
1.	Buildings.—			
	(a) Cost of acquisition ...	...	200	
	(b) Construction of sheds as per sketch: Plinth area : 1,200 Sq. Ft. at Rs. 4 per Sq. Ft.	...	5,000	



'A' Office,	15′ × 10′			
'B' Fitters' Shed	15′ × 15′			
'C' Smithy Shed	30′ × 15′			
'D' Stores	25′ × 15′			
	Total ...		5,200	5,200

Equipment—				
(a) Tools—				
As per list on Page No. 3	...	1,400		
(b) Furniture—				
Table, 4′×2½′, 1, at Rs. 40	...	40		
Chairs, 2, at Rs. 16	...	32		
J. W. Almirah, 6′×3′×15″	...	75		
Iron rack for irons of sections	...	100		
Miscellaneous, Locks (4), Lantern (1)		28		
Total	...	1,675	1,675	1,675
				6,875
				or 6,900

'B' Recurring

1.	Raw-materials— Iron and Coal		2,000 p.a.
2.	Wages—		
	3 Blacksmiths at As. 12 a day for 25 days in a month ...	55¼	
	6 Hammer-men at As. 8 a day for 25 days ...	75	
	Bellow boys. at As. 4 ...	18¾	
	6 Fitters at As. 8 ...	75	
	Total ...	224	2,688 „

	Rs.	Rs.
3. Establishment (a)—		
1 Mechanic on Rs. 50 p. m.		
1 Watchman 15 ,,		
Contingencies 5 ,,		
Total 70 ,,	840	840 p.a
D. A. to workmen and Staff (b) Rs. 1,752= $(16\times8\times12)+(18\times12)$		1,752 ,,
Included in expenditure		5,528
Depreciation at 10 per cent on the value of finished goods	700	
Not included in expenditure.		
Total		5,528

Realisations anticipated—

For 12 months at Rs. 800 p. m.	9,600
Net profit	4,072

List of Tools required for the use of the Smithy Centre.

	Rs.	Rs
Bellows, 3, at Rs. 40	120	
Anvils 1 Cwt., 3, at Rs. 120	360	
Bench Vices, 3, at Rs. 30	90	
Leg Vices 6″ jaw, 2 at Rs. 80	160	
Sledge-Hammers, 12–16, 6 at Rs. 10 ...	60	
Ball-pane Hammers, 1½ Lb., 2 Lbs., 4 ...	15	
Work-bench, 1, at Rs. 60	60	
Punches of sizes, 6, at Rs. 2	12	
Flatters of sizes, 6 s. at Rs. 10	60	
Weight-beam with scale pans and a set of weights, 1	50	
Tongs, 6, at Rs. 2	12	
Pokers and Rakers, 3 sets at 2	6	
Cutting Chisels, 6, at Rs. 2	12	
Grinding stone on stand, 18″, 1 at Rs. 100 ...	100	
G. I. Bucket, 2 at Rs. 5	10	
Files of varieties and sizes, 12	50	
Stocks and Dies, ½″, ⅜″, 2 sets with taps ..	80	
Steel Try-square 12″, 2 at Rs. 5	10	
Smith's Ratchet, 1 at Rs. 40	40	
Augurs, 3/8″, ½″, 2 at Rs. 5	10	
Hand Saw, 1, ...	5	
Hack-saw-frame, 1 at Rs. 10	10	
Spanners, 2, at Rs. 2–8–0, ...	5	
Dies for plough parts, 6, at Rs. 5	30	
Dies for bolts and nuts, 4	10	
Miscellaneous tools	23	
Total ...	1,400	1,400

List of Raw-materials required.

	Rs.	Rs.
M. S. Sheets of sizes	800	
M. S. Flats of sizes	200	
M. S. Rounds of sizes	100	
Scrap-Iron	500	
Old rails	100	
Coal	300	
Total ...	2,000	2,000

N. B.—From data collected on the work-spot.

7. RURAL SMITHY.

			Rs.	Rs.
1. *Non-recurring*—				
(*a*) Buildings including cost of acquisition of land			5,200	
(*b*) Equipment: Tools		1,400		
Furniture		300	1,700	
Total				6,900
2. *Recurring*—				
(*a*) Raw-materials			2,000	
(*b*) Wages			2,688	
(*c*) Establishment			840	
Total ...			5,528 or	5,528 p.a.
3. Realisations anticipated				9,600 ,,
4. Net Profit				4,072

NUMBER 8.

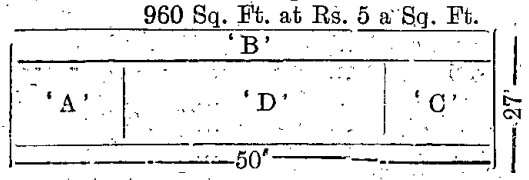
LEATHER-STITCHING SECTION FOR A CLASS OF 16 WORKERS—14 STUDENTS AND 2 WORKMEN.

PERIOD OF TRAINING—2 YEARS.

Expenditure.

'A' Non-recurring

1. Buildings.—
   (*a*) Cost of acquisition ... 200
   (*b*) Construction as per sketch : Plinth area, 960 Sq. Ft. at Rs. 5 a Sq. Ft. 5,000



'A', Stores 15'×12'
'B', Leather Stitching Section, 50'×12',
'C', Office, 15'×12',
'D', Open Space 26'×15'
'A', 'B', and 'C' with concrete flooring 5,200

2. Equipment.—

(*a*) Tools

1.	Stitching awls, for sole, welt, upper and leather Stitching, 4×16, *i. e.*, 64 awls at As. 4 each		16
2.	Rampies, 16, at As. 8	...	8
3.	Country compression Hammers, 16, at Rs. 1-8-0		24
4.	Working Block-stones, 16, at Rs. 2-8-0	...	40
5.	Shoe-makers' Pincers, 4, at Rs. 4	...	16
6.	Nipple Punch, 1, at Rs. 6	...	6
7.	Eyelet-Expander, 1, at As 8	...	½
8.	Shoe-maker's Grinding Stone, 1, at Rs. 3	...	3
9.	Scissors, 2, at Rs. 3	...	6
10.	Measuring Tape, 2', 3, at Rs. 1-8-0	...	4½
11.	Instrument Box, 1, at Rs. 1-8-0	...	1½
12.	Enamel Pots, 4, at Rs. 2	...	8
13.	C. I. 3 Legged Iron lasts, 1, at Rs. 20	...	20
14.	Shoe-lasts Nos. 1 to 3, 3 each or 12, do 4 to 10 (Gents) 3 each or 21 do 1 to 1 (Ladies) 3 each or 12, Total, 45, at Rs. 3-8-0	...	157½
15.	Cutting nippers, 2, at Rs. 4	...	8
16.	Files, Triangular, 6," 3 at Re. 1	...	3
17.	Half-round wood Rasps, 12", 2, at Rs. 3	...	6
18.	Singer Sewing Machine, 17-1, one,	...	700
	Total ...	...	1,047 or 1,050

(*b*) Furniture.—

J. W. Rack for Lasts, 6' × 6' × 1½', 1, at Rs. 25.	25	
T. W. Table with 2 Drawers, 4'×2½', 2 at Rs. 50	100	
T. W. Chairs, 2 at Rs, 16 ...	32	
J. W. Almirah for Tools, 1, at Rs. 30 ...	30	
J. W. Almirah for finished articles, 1, at Rs. 60	60	
	247 or	250
Total.		6,500

'B' Recurring

1. Raw-materials.—

Upper-leather, 14×8×2 per mensum plus (25×2×2) or 324 Sq. Ft. at Rs. 1-4-0	405 p. m.
Sole leather, 324 Lbs. at Rs. 1-4-0 ...	405 ,,
Sheep skin, 25 lbs. at Rs. 3 ...	75 ,,
Miscellaneous materials like shoe-lace, Eyelets, polish, nails, etc. ...	115 ,,
	1,000 ,,

2. Wages and Scholarships.—

2 Workmen at Rs. 50 per mensem ...	100	
14 Students at As. 8 a day for 25 days in a month ...	175	
	275	275 p. m.

	Rs.	Rs.
3. Establishment.—		
1. Supervisor on Rs. 50 per mensem		
1. Clerk on Rs. 30 per mensem		
1. Peon on Rs. 12 per mensem		
Contingencies Rs. 5 per mensem		97 per mensem

Abstract of Recurring Expenditure.—

1. Raw-materials	...	1,000 per mensem
2. Wages and Scholarships	...	275 ,,
3. Establishment	...	97 ,,
Total	...	1,372 or 16,464 p. m.
		or 16,500 ,,

Anticipated realisations.—

From Workmen, 2×20 or 40 pairs of shoes at Rs. 9	...	360 per mensem
From Trainees, 14×8 or 112 pairs of shoes at Rs. 7 a pair	...	784 per mensem
		1,144 per mensem
		or 13,728 per mensem
		or 13,800 ,,
Net expenditure	...	2,700 ,,

Estimates based on information collected on the spot.

8. LEATHER STITCHING.

EXPENDITURE.

1. Non-recurring.—				
(a) Buildings including cost of Acquisition of land				Rs. 5,200
(b) Equipment : Tools	...	Rs. 1,050		
Furniture	...	Rs. 250		1,300
Total	...		...	Rs. 6,500
2. Recurring.—				
(a) Raw-materials	...	12,000		
(b) Wages	...	3,300		
(c) Establishment	...	1,200		
				16,500 per annum
3. Realisations anticipated			...	13,800 ,,
4. Net expenditure			...	2,700 ,,

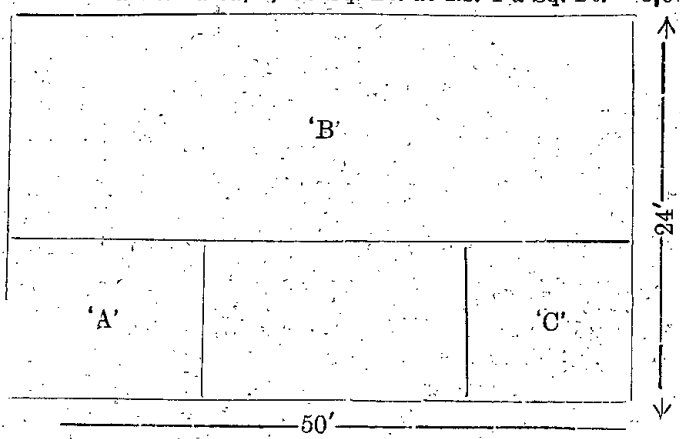
NUMBER 9.

BUTTON-MAKING SECTION FOR A CLASS OF 14 STUDENTS—12 STUDENTS AND 2 WORKMEN.

EXPENDITURE.

'A' Non-recurring.

	Rs.	Rs.
1. Buildings.—		
(a) Cost of acquisition	200	
(b) Construction as per sketch—		
Plinth area, 1,200 Sq. Ft. at Rs. 4 à Sq. Ft.	5,000	



'A' Stores, 12'×1½',
'B', Button Section, 50'×12'
'C', Office, 12'×12'

	5,200	5,200

2. Equipment.—

(a) Tools.—

		Rs.	Rs.
1.	Button Hand-Lathes, 6, at Rs. 10 ...	60	
2.	Treadle Lathes, 3, at Rs. 125 ...	375	
3.	Button Drill, 1, at Rs. 60 ...	60	
4.	Button Vices, for Drill, 12, at Rs. 2-8-0 ...	30	
5.	Turning Gauges, 6, at Rs. 3 ...	18	
6.	Turning Chisels (Country) 12 at Re. 1 ...	12	
7.	Adzes, 6, at Re. 1 ...	6	
8.	Hand-saw, 2½',×1½', 1', 3 at Rs. 5 ...	15	
8.	Tenon-saw, 12", 2 at Rs. 5 ...	10	
10.	Charakas for Polishing, 3, at Rs. 15 ...	45	
11.	Leg Vice, 6", 1, at Rs. 80. ...	80	
12.	Files, half-round, triangular and flat, 24 at Rs. 2-8-0.	60	
13.	Bench Vice, 1, at Rs. 30 ...	30	
14.	Firmer, chisels, 2", 1½", 1", ¾", ½", (5) at Rs. 3	15	
15.	Ball Pane Hammer, 2, at Re. 1 (1 lb.) ...	2	

		Rs.	Rs.
16. Wire Bending Pliers, 6", 1, at Rs. 3	...	3	
17. Hand Drill, 1, at Rs. 20	...	20	
18. Oil Stone, 1 at Rs. 6	...	6	
19. Miscellaneous Tools	...	53	
			900

(*b*) Furniture—

2 Tables	Rs. 60		
2 Chairs	,, 32		
Tools Almirah	,, 50 (1)		
F. S. Almirah	,, 50 (1)		
Time Piece	,, 18 (1)	200	200
			1,100
B. F.			6,300

'B' Recurring.

		Rs.	
1. Raw-materials.—			
Horns at 45 per day for 25 working days or 1,200 Horns per mensem at Rs. 7 per 100.		84	per mensem.
Metel Polish, 6 tins at As. 8	...	3	do
Sand Paper, 100 at Re. 0-1-3	...	8	do
Other materials like cards, 300, reel, etc., 2	...	15	do
		110	do
2. Wages and Scholarships.—			
12 Students at As. 5 a day for 25 days	...	95	per mensem.
2 Workmen at As. 12 do	...	37½	do
		132½	do
		or 133	do
3. Establishment.—			
1 Supervisor on Rs. 50 per mensem			
1 Clerk ,, 30 do			
1 Peon ,, 12 do			
Contingencies ,, 5 do			
		97	per mensem.

Abstract of recurring Charges—

1. Raw-materials	Rs. 110		
2. Wages and Scholarships	,, 133		
3. Establishment	,, 97		
Total	,, 340	or	4,080 per annum.

Realisations anticipated.—

	Rs.	Rs.
From students—		
Buttons at 2 Gr. per day for 25 days in a month or 50 Gr. at Rs. 4 a Gr.	200 per mensem.	
From workmen—		
Buttons at 1 Gr. per day for 25 days in a month or 25 Gr. at Rs. 5 a Gr.	125 do	
	325 or	3,900 per annum.
Net expenditure ...		180 per annum.

(*Vide* remarks under Estimates for Leather stitching Section.)

2. BUTTON MAKING.

Expenditure.

			Rs.	Rs.
1. Non-recurring—				
(*a*) Buildings, including cost of acquisition of land.			5,200	
(*b*) Equipment—Tools	Rs. 900			
Furniture	„ 200			
			1,100	
		Total	...	6,300
2. Recurring—				
(*a*) Raw-materials		...	1,320	
(*b*) Wages		...	1,596	
(*c*) Establishment		...	1,164	
	Total	...		4,080 per annum.
3. Realisations anticipated				3,900 per annum.
4. Net expenditure				180 per annum.

NUMBER 10.

LACQUER WORK SECTION FOR 12 STUDENTS AND 2 WORKMEN.

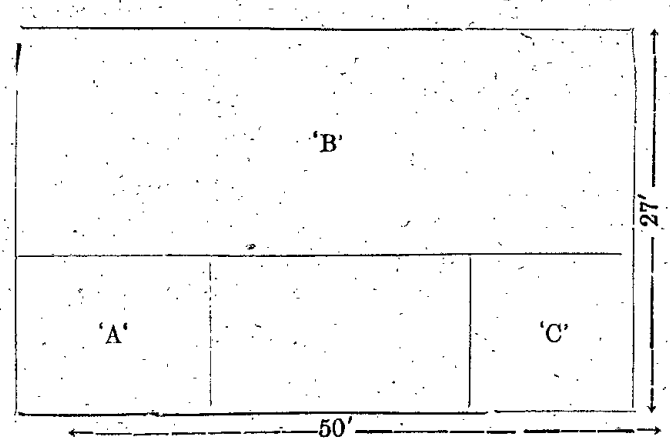
EXPENDITURE.

'A' Non-recurring.

		Rs.	Rs.
1. Buildings.—			
(*a*) Cost of acquisition	...	200	

(*b*) Construction as per sketch—

Plinth area, 1,350 Sq. Ft. at Rs. 3 a Sq. Ft. 4,000



	Rs.	Rs.
'A' Stores, 15′×12′ 'B' L. W. Section 50′×12′. 'C' Office, 15′×12′	4,200	4,200

2. Equipment.—

(*a*) Tools—

Hand Lathes with sitting planks, 14, at Rs. 8		112
Firmer Chisels, 2″×1½″, 1′, ¾″, ½″, 15, at Rs. 3		45
Turning Gauges, 6 at Rs. 3	...	18
Turning Chisels locally-made, 100, at As. 4		25
Adzes, 6, at Rs. 1	...	6
Callipers, inside and outside, 12 at Rs. 1	...	12
Dividers, 12 at Re. 1	...	12
Splitting Country Chisels, 18, at As. 4	...	4½
Hand-saw, 18″(3), Dovetail Saw (1), 4 at Rs. 3-8-0.		14
Ball Pane Hammers, 1½ lbs. (3), 1 lb. (3), 6,		7½
Pestle and Mortar, 1,	...	5
Stones for grinding colours, 2	...	2
Files, Round (12″), Flat (12″), Triangular (6″) (2) (3) (12) Wood Rasp (H. R.) (12″) (3)		20, 40
Btil-kolu, 28 at As. 4	...	7
Enamel (Cups 4, Rs. 6 and Enamel Basin, 1 Rs. 3).		9
Charcoal stove, 1, at Rs. 2	...	2
Hand Drill, 1, at Rs. 12	...	12
Miscellaneous Tools	...	17
	350	350

(b) Furniture.—			Rs.	Rs.
2 Tables	Rs. 80			
2 Chairs	,, 32			
1 Tools Almirah	,, 30			
1 Finished stock Almirah	,, 80		222	
		or	220	220
	Total	...	570	570

'B' Recurring.

1. Raw-Materials.—		Rs.	Rs.
Halewood, 5/6 Ton per mensem at Rs. 60 a ton.		50 per mensem.	
Lac, 140 lbs at Rs. 1-12-0 a lb.	...	235 do	
Sand paper, 30, at Rs. 1-4-0 a doz.	...	37½ do	
Cotton-rope, 20 lbs. at Re. 1	...	20 do	
Wax, etc.	...	17½ do	
		360 do	

2. Wages and Scholarships.—		
12 Students at As. 8 a day for 25 days	150 per mensem.	
2 Workmen at Rs. 2 a day for 25 days	100 do	
	250 do	

3. Establishment.—			
1 Supervisor on	Rs. 50		
1 Clerk	,, 30		
1 Peon	,, 12		
Contingencies	,, 5		
	97 or	100	or 710 per mensem.
			or 8,520 per year.

Anticipated realisations.—		
From workmen (2)		
Output—L. W. articles at Rs. 3 per day for 25 days.	150 per mensem.	
From students (12)		
Do at Rs. 1-8-0 do	450 do	
	600 p. m.	7,200 per annum.
Net expenditure per year		1,320 per annum.

(*Vide* remarks under estimates for the Leather Stitching Section).

NUMBER 11.

I. MANUFACTURE OF COIR-FIBRE FROM HUSKS.

ESTIMATE OF EXPENDITURE.

Non-recurring.

		Rs.
1.	Buildings	2,000
2.	Digging of Pits and Channels	1,000
*3.	Equipment	500
	Total ...	3,500

(*Details not available—Presumably Beating Sticks, Willowing Wheels, etc.)

Recurring.

A.	Raw-materials, etc.—	
	Green Husks 7 lakhs at Rs. 6 per 1,000 ...	4,200
	Soaking charges at Rs. 2 per 1,000	1,400
	Other manufacturing charges at Rs. 11 per 1,000 ...	7,700
	Total ...	13,300
B.	Establishment charges.—	
	1 Coir-Expert on Rs. 250 per mensem for 6 months, Rs. 250×6	1,500
	4 Huskers at Rs. 60 per mensem, 60×4×6 ...	1,440
	2 Supervisors on Rs. 75 per mensem, 75×2×6 ..	900
	1 Clerk on Rs. 40 per mensem, 40×6 ...	240
	T. A. and other charges	500
	Total ...	4,580
	Grand Total ...	17,880

Realisations.—

200 candies of coir at Rs. 90 per candy ...	18,000
Less expenses ...	17,880
Profit for 6 months	120

II. MANUFACTURE OF YARN FROM COIR-FIBRE.

Equipment.—

Charkas, Bobbins, etc. ... ...

Wages ... ...

(Data not available).

III. MANUFACTURE OF MATTINGS, Etc., FROM COIR-YARN.

Equipment.—

Coir-looms (36″) ... .

Wages.—

(Data not available)

N.B.—The estimate is based on the figures given by the Coir Expt, Mr. Verghese.

11. MANUFACTURE OF COIR-FIBRE FROM HUSKS.

EXPENDITURE.

		Rs.	Rs.
1. *Non-recurring.*—			
(*a*) Buildings including the cost of acquisition of land	...	2,000	
(*b*) Digging of pits and channels	...	1,000	
(*c*) Tools	...	500	
			3,500
2. *Recurring.*—			
(*a*) Raw materials	...	4,200	
(*b*) Manufacturing charges	...	9,100	
(*c*) Establishment	...	4,580	
			17,880
3. Realisations anticipated	...		18,000
4. Profit for 6 months	...		120

NUMBER 12.

VILLAGE TANNERY.

EXPENDITURE.

'A' Non-recurring.

(*a*) Buildings.—

1. Site for location of the Factory (About ½ an acre, cost of acquisition)	...	1,000
2. Buildings with brick walls and Mangalore tiled roofing, 40′×30′ (as per type-design). (Letter No. 588, dated the 9th February 1943 of the Superintendent of Industries, Bangalore)	...	14,000
Total	...	15,000

(*b*) Equipment.—

1. *Tools.*—

J. W. table, 6′×4′×3′, 1 at Rs. 35	...	35
,, Stretching boards, 6′×4′, 4 at Rs. 15	...	60
,, Water tubes, 2 at Rs. 20	...	40
,, Racks, 6′×6′×1½′, 1 at Rs. 50	...	50
Claw-hammers, 1½ lbs. 2 at Rs. 3	...	6
Ball pane hammers, 1½ lbs. 3 at Rs. 3	...	9
Cutting plier, 1 at Rs. 4	...	4
Wooden fleshing horses, 12 at Rs. 20	...	240
Fleshing knives, 24 at Rs. 4	...	96
Scudding knives, 24 at Rs 3	...	72
Weigh-beam with pans and a set of weights, 1 at Rs. 200	...	200

	Rs.
Scale-pan for small weights, 1 at Rs 15	... 15
Leather aprons, 6	... 120
Barkameter, 1	... 30
Miscellaneous tools	... 117
Total	... 1,094

2. *Furniture.*—

T. W. table with 2 drawers, 4′×2½′, 2 at Rs. 60	... 120
,, B. P. chairs, 2 at Rs. 16	... 32
,, Bench, 6′×12″×18″, 1 at Rs. 16	... 16
,, Cash box 1 at Rs. 20	... 20
,, Almirah 6′×3′×1½′, 1	... 100
,, Record box, 3′×1½′×1½′, 1	... 40
Total	... 328
or	... 330

Chroming Drum 1 Paddle 1	1, s.	... 1,000

'B' Recurring.

	Rs.	
(*a*) Raw-materials.—		
1 Raw-hides, (Cow, Buffalo) at Rs. 600 per mensem ...	7,200	per annum
2 Other raw-materials like tanning bark, lime, oils and chemicals, 3½ Barams at Rs. 40, 2 P at Rs. 3, at Rs. 170 per mensem	2,040	,,
3 Chrome and other chemicals at Rs. 100 per mensem ...	1,200	,,
Total ...	10,440	,,
(*b*) Wages in lieu of scholarships.—		
6 Students at As. 8 a day for 26 days in a month ...	936	,,
(*c*) Establishment—		
1 Foreman on Rs. 50+10 D. A. ...	720	,,
1 Tanning Maistry on Rs. 40+10 D.A. ...	600	,,
1 Clerk on Rs. 30+10 D.A.	480	,,
1 Watchman on Rs. 12+8 D.A. ...	240	,,
Contingencies at Rs. 10 per mensem ...	120	,,
Total ...	2,160	,,

		Rs.
Abstract of recurring expenditure.—		
Raw-materials	... 10,440	per annum
Wages	... 936	,,
Establishment	... 2,160	,,
Total	... 13,536	,,
	... 13,600	,,

Anticipated realisations.—		
Output : Bark tanned skins.—		
30×12×Re. 1-0-0	... 360	per mensem
10×12×Rs. 1-4-0	... 150	,,
Total	... 510	,,
or	... 6,120	per annum
Net expenditure	... 7,480	,,
or	... 7,500	,,

N.B.—The estimates are approximate based on general information and not on data collected on the work spot.

12. VILLAGE TANNERY.

EXPENDITURE.

			Rs.	
1. Non-recurring.—				
(*a*) Buildings including cost of acquisition of land			... 15,000	
(*b*) Equipment—Tools	Rs. 1,500			
Machinery...	,, 1,000			
Furniture ...	,, 350			
			2,850	
Total			...	17,850
2. Recurring.—				
(*a*) Raw-materials			... 10,440	
(*b*) Wages			... 1,000	
(*c*) Establishment			... 2,160	
				per an.
From			...	13,600
3. Anticipated realisations			...	6,100
4. Net expenditure			...	7,500

NUMBER 13.

TILE FACTORY AT BAGEPALLI.

ESTIMATES OF EXPENDITURE.

A Non-recurring.

		Rs.
1. Buildings.—		
Factory proper (Plinth area about 2,400 Sq. Ft.)	...	8,550
Kiln	...	1,700
Chimney	...	1,450
Well	...	700
(Government addressed for sanction of estimates forwarded by the Executive Engineer, Kolar, and amount to Rs. 12,400 Government sanctions since received.)		12,400
2. Machinery.—		
1 Vertical Pug-mill (Bullock-driven) of capacity 2,000 to 3,000 tile slabs per day of 9 working hours.		1,500
1 Hand Screw Tile Press (Heavy type) with one pair, *viz.*, top and bottom roofing tile-dies, capacity 2,000 to 2,500 tiles per day.		2,500
2 Pairs of one top and one bottom Ridge-tile dies...		1,000
Sales tax Rs. 50 and packing on the above Rs. 35...		85
Bed for Pug-mill and hand-press, charges of fixing the same, etc.		315
Total	...	5,400
3. Tile-Frames.—10,000	...	8,000
Drying racks for the above	...	3,000
Total	...	11,000

Abstract.—		Rs.
Buildings	...	12,400
Machinery	...	5,400
Tile-frames, Drying racks		11,000
Total	...	28,800

B Recurring.

1 Tile Maistry on Rs. 75+10 per mensem....		1,020	per annum
1 Clerk on Rs. 25+8 per mensem	...	396	,,
1 Watchman on Rs. 12+8 per mensem	...	240	,,
Total	...	1,656	,,

		Rs.	
2.	Wages.—		
	10 Male coolies at Re. 1 per day, 5 female coolies at As. 8 per day, 6 boys at As. 6 per day for 25 days in a month or a total of Rs. 368-12-0 per month ...	4,425	per annum
3.	One pair of bullocks to operate the pug-mill...	800	,,
4.	Maintenance of machinery, oil, grease, etc. ...	180	,,
5.	Cost of clay ...	1,500	,,
6.	Fuel 50 tons at Rs. 20 a ton ...	1,000	,,
7.	Miscellaneous expenses ...	239	,,
	Total ...	9,800	,,

Realisations anticipated.—

From the output of 10,000 tiles per month.—

80 per cent of the first class tiles, *i.e.*, 8,000 at Rs. 140 per 1,000 tiles ...	1,120	per mensem
10 per cent of second class tiles, *i.e.*, 1,000 at Rs. 100, per 1,000 tiles ...	100	,,
5 per cent of third class tiles, *i.e.*, 500 at Rs. 50 per 1,000 ...	25	,,
5 per cent breakages ...	...	
Total ...	1,245	,,
or ...	14,940	per annum
Net profit ...	5,140	,,

Place where machinery for similar units are available.—St. Joseph's Asylum, Industrial Workshops, Mangalore.

1. The figures and information given in this estimate are based on those found in the "Bagepalli Tile Factory File."
2. The cost of tile-frames and J. W. drying racks which had been omitted in the original estimate is now added.
3. Under "Recurring Charges", the cost for clay is provided by the Superintendent of Industries, Bangalore, presumably to cover transportation charges. In case Government tank-bed is not available nearby, extra cost will be necessary to cover the cost of clay.
4. Under building estimates of the Executive Engineer, Kolar, submitted to Government, no allowance is made for slight rise in prices of materials that has occurred since the date of preparation of the estimates, *viz.*, about March 1945.
5. *Re* Cost of tile-frames and J. W. racks and items under Recurring charges, current market prices are reckoned.

Note.—The figures given in this estimate could not be verified by data collected on the work spot.

13. TILE FACTORY (SMALL SCALE).

EXPENDITURE.

			Rs.	Rs
1.	Non-recurring.—			
	(a) Buildings, Kiln, Chimney, Well including cost of acquisition of land ...		12,400	
	(b) Machinery ...		5,400	
	(c) Tile-frames and drying racks ...		11,000	
				28,800
2.	Recurring.—	Rs.		
	(a) Raw-materials ...	3,719		
	(b) Wages ...	4,425		
	(c) Establishment ...	1,656		
			9,800	9,800*
3.	Realisations anticipated			14,940*
4.	Net profit			5,140*

* Per annum.

Copy of letter No. D5-88—45-46, dated 12th January, 1946, from the Director of Industries and Commerce in Mysore, Bangalore, to the Secretary to Government, Development Department, Bangalore.

Subject :—**Appointment of an Industrial Supervisor for each District to organise and supervise the work of Home Industries to be started under the Rural Development Scheme.**

With reference to your letter No. D. 1605, dated the 13th December 1945, on the above subject, I have the honour to state that I have submitted a three-year-plan for the starting and developing of Cottage Industries in the State in correspondence ending with my letter of even number dated the 21st December 1945. A copy of this scheme has also been sent to the Commissioner for Economic Development and Planning. It came up for discussion in the Meeting of the Board of Industries and Commerce on the 21st December 1945, and has been approved by them after a lengthy discussion.

The total cost of the scheme amounts to Rs. 25,53,680 but the net expenditure will be Rs. 13,69,150 after deducting probable realisations, as per the abstract noted below :—

		Non-recurring.	*Recurring*	*Realisations*
		Rs.	Rs.	Rs.
1st year (1945-46)	...	3,21,005	5,15,435	2,41,830
2nd year (1946-47)	...	2,15,320	5,28,324	3,78,260
3rd year (1947-48)	...	2,85,620	6,87,976	5,64,440
Total	...	8,21,945	17,31,735	11,84,530

Total cost of the Scheme ...	Rs.	25,53,680
Deduct anticipated realisations.	Rs.	11,84,530
		13,69,150*

(*Grant already sanctioned for 1945-46 is Rs. 98,000 ; deducting this, the net cost of the Three-Year Scheme will be Rs. 12,71,150).

As per instructions obtained from the Minister for Public Works, I have submitted a One-year-Plan which fits into the Three-Year-Plan. The essential features of this plan are the taking up of a dependable statistical survey of all types of Cottage Industries, *viz.*, Agricultural, Forest and other Industries. These industries are proposed to be taken up on an intensive scale and the Functional Experts as proposed in para 5 of my letter dated the 3rd October 1945 will, after necessary investigation into technical aspects, prepare type designs for industries that can be started and developed.

It is also necessary to prepare a handbook or a brochure for each district containing a detailed plan and estimates for industries that could be started and developed in each district. In addition to this, a few industries at suitable places in each area could be taken up and developed on a commercial basis or as demonstration or training Centres, the total number of Centres started being restricted to 107 as envisaged in the Three-Year-Plan submitted by me.

It is, therefore, necessary to set up a suitable organisation in each district for first investigating and then proper supervision and execution of the work decided upon. In my view each District Officer should be of the rank and status of a Senior Amildar and he should be assisted by experienced technical men and office establishment.

The following staff will, therefore, be the minimum necessary for the purpose :—

		Rs.
1.	Officers of the status of a Senior Amildar, 9 at Rs. 250 per mensem	250
2.	Mechanics, 9 at Rs. 80 per mensem	80
3.	Two Clerks for each Amildar at Rs. 50 each, (18 Clerks)	100
4.	Two Peons at Rs. 15 each (18 Peons)	30
	Total	460×9
		4,140×12
		49,680 per year or 50,000.

I feel that it is very necessary to have an Officer of sufficient status in each District, so that he can first of all investigate and then inspect and guide the activities in the area for some years in the initial stages. In the course of about three years, sufficient advance will have been made in the development of Rural Industries and thereafter it will be enough to set up a simpler organisation whose functions will be mainly to supervise the Cottage Industries started by individuals to supply raw materials and designs needed by each industry and also to help the Centres to market the products.

As regards the organisation at the Head Office, I have already indicated the establishment required in this behalf in the three-year-plan submitted by me. An extract of the same is furnished below :—

1 Section Superintendent on Rs. 120-10-150
2 Senior Clerks on Rs. 60-4-80 each
2 Junior Clerks on Rs. 30-3-60 each
2 Accounts Clerks on Rs. 30-3-60 each
1 Senior Auditor on Rs. 100-5-125
3 Junior Audit Clerks on Rs. 40-4-80 each
1 Steno-typist on Rs. 40-4-80
1 Sales Officer on Rs. 100-10-150
1 Draftsman on Rs. 100—fixed
4 Peons on Rs. 15 each

The total net extra cost involved on the above establishment is Rs. 9,351 per year as indicated in the proposition statement already sent.

Besides the above organisation, I have also proposed in the Three-Year-Plan the appointment of Experts for several industries with necessary clerical staff involving a recurring expenditure of Rs. 32,400 per annum and the

appointment of an Assistant Engineer with staff involving Rs. 4,780 per annum.

It is necessary that an Assistant Director in grade of Rs. 200—40—2/400 should be placed in independent charge of the Rural Industries Section under the general supervision of the Director as already proposed by me in the Three-Year Plan.

The Managing Committee of the Occupational Institute has resolved in one of their recent meetings to start an Occupational Institute in one or two places in the State to train candidates as Artisans who will ultimately take up Cottage Industries run by electric power, etc. It is, therefore, necessary to devote particular attention to the development of Cottage Industries generally. In this connection, it would be of immense help if necessary appliances and machinery suitable for Cottage Industries are manufactured and supplied for the purpose by some of our industrial concerns. The Government Electric Factory may concentrate attention on the manufacture of Electric Motors and other electrical appliances and the C. I. Workshop may manufacture simple machinery and appliances that can be introduced in the development of Cottage Industries. The workshop should devote its attention solely for the manufacture of machinery of suitable designs. I shall submit suitable proposals in this behalf.

It is found that in all such development works (as in the case of the Central Indian Tobacco Committee) a lump-sum grant is made available to the committee to carry on the work. In the case of the Central Indian Tobacco Committee, an annual outright grant of Rs. 10,00,000 is given and the responsibilities of devising ways and means for spending the amount in useful ways is vested in the Committee. Similarly, I suggest that the gross amount as indicated in my Three-Year Plan under each year may be placed at the disposal of the Cottage Industries Committee or preferably a responsible committee which will be charged with the execution of the plan according to the details set forth therein after obtaining necessary approval by Government wherever necessary. I feel strongly that sanction of Government may be accorded to the setting up of the organisation and the allocation of finance as proposed by me in the scheme, the working of the details being left to the Committee. The conduct of surveys, preparation of estimates, the starting of demonstration and

commercial units as envisaged in the scheme, will be taken up rapidly and attempts will be made to achieve results commensurate with the expenditure involved on the Scheme.

Copy of letter No. D. 5-88—45-46, dated 13th August 1946, from the Director of Industries and Commerce in Mysore, to the Secretary to Government, Development Department, Bangalore.

Subject :—**Three-Year Plan for the Development of Rural and Cottage Industries.**

With further reference to my D. O. letter of even No. dated 1st April 1946, on the above subject, I have the honour to clarify the following points in the proposals submitted by me from time to time.

The three Year Plan submitted with my letter No. D5. 88-45-6, dated 26th September 1945, was in accordance with the instructions received from the Dewan.

The modified plan for one year submitted with my letter of even No. dated 3rd October 1945, was in accordance with the instructions received from the Minister for Public Works.

In addition to the proposals submitted in the above two letters, I had in my letter No. D5. 88—45-46, dated 15th January 1946, suggested the appointment of suitable organisation in each district consisting of an officer of the status of a Senior Amildar. As, however, Government have since sanctioned the appointment of District Development Officers, there will be no necessity for the appointment of such officers in each district. Proposals for the appointment of nine Mechanics in each district however hold good.

In regard to the Central staff proposed, the work relating to the Rural Industries Section is now being attended to by the Departmental staff sanctioned as per re-organisation in 1928 when there was no Rural Industries. The work could be managed in the initial stages with this staff as there were only about 12 or 15 Centres up to 1942-43. As the Centres have now been increased

to 45 and as fresh Centres are being started and work in the existing Centres is being developed from year to year, it has been found impossible to get through the work relating to these Centres with the departmental staff hitherto detailed for this work. Hence a strengthening of the Staff consisting of:

One Section Superintendent.
Senior Clerks.
Junior Clerks.
Accounts Clerks, etc.

has been proposed by me. The post of the Sales Officer included in this staff is, however, not a new appointment; only a revision of the grade is proposed now. Similarly, the appointment of a Designer on Rs. 60 has been sanctioned by Government temporarily for a year. In lieu of this, one appointment of a Draftsman on Rs. 100 has been asked for.

The proposals for the appointment of Experts with their staff, one Assistant Engineer with his staff also hold good.

The administrative work involved in the scheme cannot be attended to by the existing staff for the reasons already enumerated. The staff as proposed above will, if sanctioned, be necessary even if it is decided to proceed for the present, only on the basis of the modified plan for one year (para 3) which has been devised to fit into the three-year scheme.

As the official year 1945-46 has now closed, the period for the three-year plan may be considered as commencing from 1946-47 and ending with 1948-49.

The total expenditure for 1946-47 as per statements and proposals submitted from time to time is as noted below during the first year.

	No. of Centres.	*Recurring.*	*Non-recurring.*
		Rs.	Rs.
1. Existing Centres during 1946-47 ...	45	72,715	17,945
2. Proposed during the year ...	23	10,948	2,27,740
3. Experts with staff ...	...	32,400	...
4. Assistant Engineer with staff ...	...	4,780	...
5. Central Organisation (staff in my office).	...	9,351 (nett)	...
6. Scholarships ...	...	18,000	...
7. Additional grant (omitted) ...	...	...	...

		Rs.	Rs.
8. Nine Mechanics ...	...	6,480	...
9. Working advance to stock 2 sets of machinery (omitted) as Government have since sanctioned Rs. 20,000 under "23-(A). Other Advances."	...	...	...
10. Other expenditure (omitted) ...	...	3,54,674	2,45,685
Total Recurring and Non-recurring ...	...	...	6,00,359
Less grant sanctioned for 1946-47 ... (Rs. 3,00,000—Rs. 27,000 allotted to the Director of Textiles —Rs. 2,73,000).	...	...	2,73,000
Net additional grant required	...	...	3,27,359
Deducting anticipated realisations of the nett expenditure on working the scheme during the first year will be Rs. 85,529 (Rs. 3,27,359—Rs. 2,41,830=Rs. 85,529).	...	...	2,41,830

I request Government to pass orders on the following points in order that work may be proceeded with on the first stage of the plan.

(1) To sanction an additional grant of Rs. 3,27,359 to go ahead with the scheme during 1946-47.

(2) Sanction for the appointment of nine Mechanics on Rs. 80 each.

(3) Sanction for staff in the Head Office consisting of:—

(1) Section Superintendent on Rs. 120—10—150.
(2) Two Senior Clerks on Rs. 60—4—80 each.
(3) One Steno-typist on Rs. 40—4—80.
(4) Two Junior Clerks on Rs. 30—3—60 each.
(5) Two Accounts Clerks on Rs. 30—3—60 each.
(6) One Senior Auditor on Rs. 100—5—125.
(7) Three Junior Audit Clerks on Rs. 40—4—80 each.
(8) One Draftsman on Rs. 100.
(9) Sales Officer on Rs. 100—10—150.
(10) Four Peons on Rs. 15 each.

(4) Assistant Engineer with staff as detailed below:—

(1) One Assistant Engineer on Rs. 200—20—400.
(2) One Clerk on Rs. 30—3—60.
(3) One Peon on Rs. 15.

(5) Sanction for the appointment of the following Experts with office staff as noted below :—

(1) Hand Paper Making, Rs. 100—10—150.
(2) Leather Tanning and Stitching Rs. 200—20—300.
(3) Pottery, Rs. 150—10—200.
(4) Tile Making, Rs. 100—10—150.
(5) Coir and Fibre, Rs. 150—10—200.
(6) Mat and Aloe fibre, Rs. 100—10—150.
(7) Smithy, Rs. 100—10—150.
(8) Button Making, Rs. 100—10—150.
(9) Lacquer Industry, Rs. 100—10—150.
(10) Glass Bangle Industry, Rs. 200—20—300.

Office staff for the above Experts—

(1) 20 clerks, two for each expert.

(a) One Senior Clerk on Rs. 50.
(b) One Junior Clerk on Rs. 35.

(2) 10 Peons on Rs. 15.

Copy of letter No. D5-88—1945-46, dated 8th October 1946, from the Director of Industries and Commerce in Mysore, Bangalore, to the Secretary to Government Development Department, Bangalore.

Subject :—**Three-Year Plan for the Development of Cottage Industries —Building and constructional works relating to the Cottage Industries, etc.**

In continuation of my letter of even No., dated 14th August 1946, clarifying the appointments in the proposals submitted by me from time to time, I have the honour to invite your kind reference to my letter of even number dated 15th April 1946, pointing out the necessity for the appointment of one Assistant Engineer with staff under the control of this Department with a view to take up the building and construction works departmentally. As already reported by me, the Department has about eight building and constructional works relating to Rural Industries on hand now as detailed below :—

1. Wood Seasoning Kiln, Channapatna.
2. Tile Factory at Bellur.
3. Do Bagepalli.

4. Glazing Kiln and Pottery Shed, Closepet.
5. R. W. C. Buildings at Anandapur.
6. Tannery, Mangalawarpet.
7. Do Idagur.
8. Do Pavagada.

It has been experienced by the Department that if these works are entrusted to the Public Works Department there will be considerable delay in the construction of these building works. The Executive Engineer has in the usual course to obtain sanction of the Superintending Engineer and the Chief Engineer. Tenders are then called for and the work will be taken up after approval of the lowest tender. In the case of construction of building for Nelamangala Industrial School and also Malavalli Tannery, there was a delay of two to three years in the construction of the building. The delay in the construction of the buildings required for Rural Industries involves consequential delay in starting Rural Industries. I have therefore proposed the appointment of an Assistant Engineer who will in the first instance prepare the necessary drawings and estimates and the approval of Government for these estimates will be obtained in the usual course. After Government sanction is accorded to the estimates, the Assistant Engineer will under my instructions proceed to call for tenders and when the tender is accepted by me, the Assistant Engineer will proceed with the construction of the buildings by personally supervising them. By the adoption of this procedure the present inconveniences and delays will be avoided and to that extent there will be expedition in the starting of Rural Industries for which competent sanctions have been accorded. I therefore, request my proposals for the appointment of the Assistant Engineer with his staff as noted in the margin may kindly be sanctioned in advance to enable me to push through the building programmes expeditiously.

1. Assistant Engineer on Rs. 200—20—400.
2. Clerk on Rs. 30—3—60.
3. Peon on Rs. 15.
(Draftsman's place is included in central staff proposed and this draftsman will assist the Assistant Engineer.)

In addition to the above works, according to the Three-Year Scheme submitted to Government, the existing 45 centres are proposed to be increased to 107 and there will be many building and constructional works to be executed spread over a period of three years.

Copy of letter No. 2284—Books, dated 12th June 1946 from the Comptroller to the Government of Mysore, Bangalore, to the Secretary to Government, Development Department, Bangalore.

Re : **Verification of the Proposition Statement relating to Rural Industries Section of the Office of the Director of Industries and Commerce in Mysore, Bangalore.**

With reference to your letter No. D. 8264—I. & C. dated 8th May 1946, on the above subject, I have the honour to forward herewith duly verified the proposition statement in duplicate, received from the Director of Industries and Commerce in Mysore, Bangalore, with a copy of his letter No. D. 5-88—45-46, dated 17th December 1945, addressed to you in the matter.

The proposals as set forth in the proposition statement involve an extra cost of Rs. 779-4-0 per mensem or Rs. 9,351 per annum subject to the remarks noted on the proposition statement.

Finance and Account Form 11.] (*Vide* Art. 71, M. C. A. C., Vol, I, Appendices and Forms.)
Finl. 200] Statement of Proposition for Revision of Establishment—Rural Industries Section.
Name of Office to which the proposition relates: Office of the Director of Industries and Commerce in Mysore, Bangalore.

Government orders sanctioning present Establishment		Nature of Charge											
		Present Scale						Proposed Scale					
				Pay						Pay			
No.	Date	No.	Designation	Minimum	Rate of increase	Maximum	Average Cost	No.	Designation	Minimum	Rate of increase	Maximum	Average Cost
...	* 1	1	First Grade Clerk ...	40	4	100	75	1	Section Superintendent...	120	10	150	145½
		1	Second do ...	30	3	60	50	2	Senior Clerks ...	60	4	80	150
		2	Clerks ...	30	...	30	60	2	Junior Clerks ...	30	3	60	100
...	2	1	Cottage Industries Committee Clerk.	50	...	50	50	2	Accounts Clerks ...	30	3	60	100
								1	Senior Auditor ...	100	5	125	118¾
...	3	1	Sales Officer ...	100	...	100	100	3	Junior Audit Clerks ...	40	4	80	200
...	4	1	Designer ...	60	...	60	60	1	Stenotypist ...	40	4	80	66 2/3
								1	Sales Officer ...	100	10	150	133 1/3
								1	Draftsman ...	100	...	100	100
								4	Peons ...	15	...	15	60
		7	Total ...				395 p.m.	18	Total ...				Rs. 779½ p. m. or Rs. 9,351 per year.

NOTE.—To be prepared in duplicate and forwarded through the Comptroller in Mysore and should be followed by a reappropriation statement, if the proposal involves additional expenditure.

*(1) Permanent Clerk as per re-organisation of 1928. Correspondence ending in G. O. No. D. 9381-2—I. and C. 269-28-26, dated 19th February 1930.
(2) G. O. No. D. 7876-7—I. and C. 182-44-4, dated 23rd May 1945—sanctioning the continuance of the Cottage Industries Committee Clerk.
(3) G. O. No. D. 8437-8—I. and C. 439-44-4, dated 8th June 1945—sanctioning the continuance of the appointment of the Sales Officer.
(4) G. O. No. D. 962-3—I. and C. 55-45-2, dated 9th August 1945—sanctioning the place of the Designer.

Reg. No. M. 1175.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 3357—R. T. 25-47-2, dated Bangalore, 22nd March 1948.

The draft of the following further amendment to the Mysore Motor Vehicles and Road Traffic Rules, 1945, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by Section 53(1) of the Mysore Motor Vehicles and Road Traffic Act 1944 (No. XXVII of 1944), is hereby published for information of all persons likely to be affected thereby, as required by Section 125 of the said Act.

Notice is hereby given that any suggestion or objection to the said draft may be forwarded to the Secretary to Government, General Department, so as to reach him on or before 2nd April for consideration. Any suggestion or objection received after the said date will not be taken into consideration.

DRAFT AMENDMENT.

Rule 132 of the Mysore Motor Vehicles and Road Traffic Rules, 1945, shall be renumbered as sub-rule (*a*) of Rule 132 and after the rule as so re-numbered, the following sub-rule shall be inserted, *viz*:—

"132 (b) No permit to ply for hire in Mysore shall be granted to any stage carriage or goods vehicle, which is more than five years old from the date of its original registration:

Provided that, if the stage carriage or goods vehicle is found to be fit for use on the road after expiry of the period for which the permit was granted, the period of permit may be extended by the Mysore Traffic Board, the period so extended not exceeding six months at a time or a total period of two years in any case."

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

Order No. R. L. 2426—Legis. 42-47-1, dated Bangalore, 23rd March 1948.

Ordered that the accompanying Provident Funds (Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 3rd day of March 1948, be published as Act No. XXIV of 1948, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government
Law Department.

ACT No. XXIV OF 1948.

THE PROVIDENT FUNDS (AMENDMENT) (EMERGENCY) ACT, 1948

(Received the assent of His Highness the Maharaja on the 3rd day of March 1948.)

An Act further to amend the Provident Funds Act, 1916.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Provident Funds Act, 1916 (IX of 1916), for the purpose hereinafter appearing;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Shor title and commencement.

1. (1) This Act may be called the Provident Funds (Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

2. In Section 6 of the Provident Funds Act, 1916, for the words "or in any company registered according to law" the words "or in any company registered according to Law in Mysore or which if incorporated outside Mysore, has satisfied the requirements of Section 277 of the Mysore Companies Act, 1938" shall be substituted. **Amendment of Section 6 of Act IX of 1916.**

K. CHENGALARAYA REDDY,
Chief Minister, in-charge of the current duties of the Dewan.

No. S. D. 6965—Co. 32-47-5, dated Bangalore, the 17th March 1948

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services, and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the Notification No. C. 1965—Co. 32-47,2, dated 16th January 1943 issued in respect of Paper Price Control Order, 1946 and to direct with reference to Sub-Rule (1) of Rule 119 of the said rules, that notice of the amendments shall be given by publication of the same in the Official Gazette and by the issue of a Press Note.

In the said notification for the words "with effect from the date of this notification" occurring in the preamble "with effect from 1st December 1947" shall be substituted.

No. S. D. 7033—Co. 32-47-7, dated Bangalore, the 22nd March 1948.

In exercise of the powers conferred by Section 3 of Essential Supplies (Temporary Powers) Act, 1946, as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947, the Government of His Highness the Maharaja are pleased to direct that the following amendments shall be made in the Notification No. C. 2361—Co. 32-47-4, dated 11th February 1948, issued in respect of Paper Price Control Order, 1945, and to direct with reference to sub-rule (1) of Rule 119 of the said Rules, that notice of the amendments shall be given

by the publication of the same in the Official Gazette and by the issue of a Press Note.

In the said notification *for* the words "with effect from the date of Notification" occurring in the preamble "with effect from 1st December 1947" shall be *substituted.*

No. S. D. 7036—Co. 40-47-2, dated Bangalore 23rd March 1948.

In exercise of the powers conferred by sub-rule 2 of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act No. XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the Cotton Cloth (Control of Printing) Order, 1945 with all the amendments issued thereto from time to time shall be abrogated with immediate effect and to direct with reference to Rule 119 (1) of the said rules that notice of abrogation shall be given by publication in the Official Gazette and by the issue of a Press Note.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. R. 3412—L. W., dated Bangalore, the 29th March 1948.

Draft Mysore Shops and Establishments Rules.

The following draft of the Mysore Shops and Establishments Rules which it is proposed to make in exercise of the powers conferred by Sub-Section (1) of Section 49 of the Mysore Shops and Establishments Act, 1948 (II of 1948) is hereby published for general information as required by Sub-Section (3) of the said Section.

Notice is hereby given that the draft will be taken into consideration on or after 5th April 1948, and that any objection or suggestion which may be received form any person with respect thereto before the date aforesaid will be considered by the Government of Mysore. Objections and suggestions should be addressed to the General Secretary to the Government of Mysore through the Commissioner of Labour in Mysore, Bangalore.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

1. These Rules may be called the Mysore Shops and Establishments Rules, 1948. Short title.

2. In these rules, unless there is anything repugnant in the subject or context:— Definitions.

(*a*) "The Act" means the Mysore Shops and Establishments Act, 1948,

(*b*) "Commissioner of Labour" means the Officer appointed to be the Commissioner of Labour.

(*c*) "Deduction for breach of contract" means a deduction made in accordance with the provisions of the proviso to Sub-Section (2) of Section 36.

(*d*) "Deduction for damage or loss" means a deduction made in accordance with the provisions of Clause (*c*) of Sub-Section (2) of Section 34.

(*e*) "Family" means husband, wife and children.

(*f*) "Form" means a form appended to these rules.

(*g*) "Government" means the Government of Mysore.

(*h*) "Section" means a section of the Act.

(*i*) Words and expressions used in the Act and not defined in these rules shall have the meanings assigned to them in the Act.

Enquiry by Government before passing orders fixing, opening and closing hours of shops.

3. (1) The Government or any officer authorised by them under Section 48 (1) shall make the inquiry under Sub-Section (2) of Section 7 in the manner prescribed in this rule.

(2) Before passing an order under Sub-Section (1) of Section 7 the Government or any officer authorised by them shall give notice of its intention to pass such order. The notice shall be in Form 1, and shall, unless a copy of the order proposed to be passed is annexed to it, specify the area and the shop or shops or class or classes of shops to which the order shall apply, the hours of opening or the hours of closing, or both, which are proposed to be fixed and the days in respect of which such hours are so proposed to be fixed. The notice shall also state that objections and suggestions with respect to such orders, if any, may be sent to the officer mentioned in the notice within one month from the date of such notice.

(3) The notice shall be published in the Gazette and the copies of the notice shall be affixed at such public places in the area to which the order is proposed to be applied as the Government or the officer authorised by them may deem fit. Copies of the notice shall be sent to the Local Authority in whose jurisdiction such area is situated and to such associations, or organisations as the Government may deem fit. The notice shall also be published in not less than one newspaper having circulation in such area.

(4) Government or the officer authorised by them shall consider all objections and suggestions received under Sub-Rule (2) before passing the order under Sub-Section (1) of Section 7.

4. The provisions of Rule 3 shall *mutatis mutandis* apply to an enquiry to be made by Government under Sub-Section (2) of Section 13.

Enquiry by Government before passing orders fixing, opening and closing hours of Commercial Establishments.

5. (1) In every establishment, all the inside walls of the rooms and all the ceilings or tops of such rooms (whether such walls, ceilings or tops be plastered or not), and all the passages and staircases shall be lime-washed at least once in each year dating from the period when last lime-washed. All the beams, rafters, doors, window frames and other wood work with the exception of floors shall be either lime-washed or colour-washed at least once a year dating from the period when last lime-washed or colour-washed or shall be painted or varnished once in seven years dating from the period when last painted or varnished and shall be kept in a cleanly state.

Establishment to be kept clean by limewashing, etc.

(2) All internal structural iron and steel work shall be cleaned and painted or varnished at least once in seven years from the period when last painted or varnished unless the Inspector by written order requires more frequent treatment of specified portions. The dates on which lime-washing, colour-washing, painting or varnishing is carried out shall be duly entered in Form II, which shall be shown to the Inspector when required:

Provided that the provisions of these sub-rules shall not apply to:—

(i) rooms used only for the storage of articles;

(ii) walls or tops of rooms which are made of galvanised iron, tiles, asbestos sheets or similar material or glazed bricks;

(iii) any other establishment or parts thereof in which lime-washing or painting is in the opinion of the Government unnecessary to satisfy the requirements of Section 20 as to cleanliness.

6. No rubbish, filth, or debris shall be allowed to accumulate or to remain on any premises in an establishment in such position that effluvia therefrom can arise within the establishment.

Rubbish not to be allowed to accumulate.

Compound to be kept clean.

7. The compound surrounding every establishment shall be maintained in a sanitary and clean condition.

Establishments to be sufficiently lighted.

8. As long as any persons employed are present in an establishment, the latrines, passages, stairs, hoists, establishment grounds and other parts of the establishment, in so far as the entrance of the said places is not closed, shall be lighted in such manner that safety is fully secured in passing through or remaining in the same.

Buildings of more than one storey to be provided with 2 stairs.

9. Every building of more than one storey shall be provided with at least two sets of stairs or steps permanently fixed either inside or outside the building, so as to afford direct and unimpeded access from every part of the establishment to the ground level. Such stairs shall be provided with a suitable and sufficient hand-rail or other convenient support. In establishments employing less than forty persons, the Inspector may accept in lieu of a second set of stairs or steps, such other means of escape in case of fire as can reasonably be required in the circumstances of each case.

Exits to external stairs to open from inside.

10. Every window or door giving access to an external stair-case shall be so arranged as to open immediately from inside.

Procedure in appeals.

11. The employer on whom an order in writing by an Inspector has been served under the provisions of Chapter V of the Act may within thirty days of the service of the order, appeal against it to the Commissioner of Labour.

(2) The appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and bearing court fees stamp in accordance with Article 7 of Schedule II of the Mysore Court Fees Act, 1900, and shall be accompanied by a copy of the order appealed against.

(3) The appellate authority may, suspend the order appealed against pending the decision of the appeal, subject however, to such conditions as to partial compliance or the adoption of temporary measures as it may choose to impose in any case.

Holidays with Wages Register.

12. (1) The employer shall maintain a holiday with Wages Register in Form III and make a return in Form V, not later than the 1st March of the year subsequent to that to which it relates:

Provided that, if the Inspector is of the opinion that any muster roll or register maintained as part of the

routine of the establishment, or return made by the employer, gives in respect of any or all of the persons employed in the establishment the particulars required for the enforcement of Chapter VI of the Act, he may, by order in writing direct that such muster roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that establishment.

(2) The register maintained under sub-rule (1) shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

Holiday Book of the person employed.

13. (1) The employer shall provide each person employed with a book called "Holiday Book" in Form IV. The book shall be the property of the person employed, and the employer or his agent shall not demand it except to make entries of the dates of holidays or interruptions in service, and shall not keep it for more than ten days at a time.

(2) If a person employed loses his "Holiday Book" the employer shall provide him with another copy on the payment of an anna, and shall complete it from his record.

Production of medical certificate by person employed.

14. If so required by the employer in writing the person employed shall submit a medical certificate signed by a registered medical practitioner or by a registered or recognized *vaid* or *hakim* stating the cause of the absence and the period for which the person employed is, in his opinion, unable to attend to his work.

Notice by person employed for not availing himself of holidays due to him in a year.

15. Before or on the completion of a period of twelve months' continuous service in the establishment, as defined in Section 25, a person employed may give notice to the employer of his intention not to avail himself of holidays falling due in the following period of twelve months. The employer shall make an entry to that effect, in the register in respect of that person employed and in his Holiday Book.

Programme of holidays to be prepared by employer.

16. Except in regard to the person employed who has given notice of his intention not to avail himself of holidays in the year in which these accrue, the employer shall prepare a programme of holidays stating the dates on which holidays with wages shall be allowed to each person employed or groups of persons employed as the case may be including the person employed who has

accumulated his holidays over two periods of twelve months each and shall give notice of the dates so fixed to each person employed. Any date so fixed by the employer shall not, in an individual case, be earlier than three weeks from the date on which notice as aforesaid is given by the employer unless the person employed agrees to take the holidays earlier. The necessary entries shall be made in the Register and the Holiday Book.

Members of one family to be allowed holidays on the same date.

17. As far as circumstances permit members of the same family shall be allowed holidays on the same date.

Notice by employer of alteration of dates fixed for holidays.

18. The employer may alter the dates fixed for holidays only after giving a notice of four weeks to the person employed.

Exchange of leave between persons employed.

19. A person employed may exchange the period of his leave with another person employed subject to the approval of the employer.

Register of Fines.

20. (1) In any establishment in respect of which the employer has obtained approval under Sub-Section (1) of Section 35 to a list of acts and omissions in respect of which fines may be imposed, the employer shall maintain a register of fines in Form VI.

(2) At the beginning of the Register of Fines there shall be entered serially numbered the approved purpose or purposes on which the fines realised are to be expended,

(3) Vouchers or receipts in connection with any expenditure from the fines' funds shall be produced for the scrutiny of the Inspector when required by him.

Register of deductions for damage or loss.

21. In every establishment in which deductions for damage or loss are made the employer shall maintain the register required by Sub-Section (2) of Section 37 in Form VII.

Register of Wages.

22. A Register of Wages shall be maintained in every establishment and may be kept in such form as the employer finds convenient but shall include the following particulars :—

(*a*) the gross wages earned by each person employed for each wage period;

(*b*) all deductions made from those wages, with an indication in each case of the clause of Sub-Section (2) of Section 34 under which the deduction is made;

(c) the wages actually paid to each person employed for each wage period.

Maintenance of Registers.

23. The registers required by Rules, 20, 21, 22 and 33 shall be preserved by the employer for twelve months after the date of the last entry made in them.

Weights, Measures and Weighing Machines.

24. All weights or measures or weighing or measuring instruments which are used in checking or ascertaining the wages of persons employed in any establishment shall be examined in accordance with the provisions of the Mysore Weights and Measures Act. If an Inspector considers that any action should be taken under the said Act, he may seize the article in question and shall report the matter with his opinion to the Inspector of Weights and Measures having jurisdiction under the said Act for necessary action.

Notice of dates of payment.

25. The employer shall display in a conspicuous place at or near the main entrance of the establishment, a notice in English and in the language of the majority of the persons employed therein, showing the days on which wages are to be paid.

Prescribed authority.

26. The Commissioner of Labour shall be the authority competent to approve under sub-section (1) of section 35, acts and omissions in respect of which fines may be imposed and, under sub-section (8) of section 35 the purposes on which the proceeds of fines shall be expended.

Application in respect of fines.

27. Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the authority appointed under rule 26 :—

(a) a list, in English or Kannada in duplicate, clearly defining such acts and omissions ;

(b) in cases where the employer himself does not intend to be the sole person empowered to impose fines, a list, in duplicate, showing those appointments in his establishment of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fine.

Approval of lists.

28. The authority appointed under rule 26 on receipt of the lists prescribed in the preceding rule may, after such enquiry as he considers necessary, pass orders either :—

(a) disapproving the lists,

(*b*) approving the lists either in their original form or as amended by him, in which case such lists shall be considered to be approved lists, provided that no order disapproving or amending any lists shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the lists as submitted by him should be approved.

Posting of list.

29. The employer shall display at or near the main entrance of the factory a copy in English, together with a literal translation thereof, in the language of the majority of the persons employed therein, of the list of acts and omissions approved under rule 28.

Persons authorised to impose fines.

30. No fine may be imposed by any person other than an employer, or a person holding an appointment named in a list submitted under rule 27.

Procedure in imposing fines and deductions.

31. Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss shall explain personally to the said person the act or omission, or damage or loss, in respect of which the fine or deduction is proposed to be imposed and the amount of the fine or deduction, which it is proposed to impose, and shall hear his explanation in the presence of at least one other person.

Deductions for breach of contract.

32. (1) No deduction for breach of contract shall be made from the wages of an employed person who is under the age of fifteen years or is a woman.

(2) No deduction for breach of contract shall be made from the wages of any employed person unless :—

(*a*) there is provision in writing forming part of the terms of the contract of employment requiring him to give notice of the termination of his employment and

(i) the period of this notice does not exceed fifteen days or the wage-period whichever is less; and

(ii) the period of this notice does not exceed the period of notice which the employer is required to give of the termination of that employment;

(*b*) this rule has been displayed in English and in the language of the majority of the employed persons at or near the main entrance of the establishment and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made;

(c) a notice has been displayed at or near the main entrance of the establishment giving the names of the persons from whom the deduction is proposed to be made, the number of days' wages to be deducted and the conditions (if any) on which the deduction shall be remitted :

Provided that where the deduction is proposed to be made from all the persons employed in any departments or sections of the establishment, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections, to specify the departments or sections affected.

(3) No deduction for breach of contract shall exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment.

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from any person who has complied with these conditions.

Advances.

33. (1) An advance of wages not already earned shall not, without the previous permission of an Inspector, exceed an amount equivalent to the wages earned by the employed person during the preceding four calendar months, or if he has not been employed for that period, the wages he is likely to earn during the four subsequent calendar months.

(2) The advance may be recovered in instalments by deductions from wages spread over not more than eighteen months. No instalment shall exceed one-third, or where the wages for any wage-period are not more than twenty rupees, one-fourth of the wages for the wage-period in respect of which the deduction is made.

(3) The amounts of all advances sanctioned and the repayments thereof shall be entered in a register in Form VIII.

(4) The rate of interest charged for advances granted under sub-rule (1) shall not exceed 6¼ per cent per annum.

34. (1) An appeal under sub-section (2) of section 41 of the Act may be presented to the Commissioner of Labour or any Gazetted Officer subordinate to him and empowered by him generally or specifically in this behalf within thirty days of the receipt of the order of dismissal by the employed person.

(2) The appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and shall be accompanied by a copy of the order appealed against.

Manner of examination of premises etc., by the Inspectors.

35. (1) An Inspector, making an examination under section 43 shall make such examination of the premises and of the prescribed registers, records and notices as may appear to him necessary for the purpose of satisfying himself that the provisions of the Act, of these rules and any orders passed by Government under the Act are being properly observed. In particular, he shall satisfy himself :—

(i) that the registers, records and notices required to be maintained or exhibited under the Act or these rules are properly maintained or exhibited ;

(ii) that the intervals of rest and the holidays required to be granted under the Act are granted and that the limits of hours of work and spread-over laid down under the Act are not exceeded ;

(iii) that the provisions of the Act relating to the payment for overtime work are duly observed ;

(iv) that no child is allowed to work in any establishment to which the Act applies ; and

(v) that the provisions of the Act and any orders issued by Government regarding the opening or closing hours are duly observed.

(2) For carrying out such examination, the Inspector may interrogate such persons on the premises, as he may deem necessary, provided that no such person, shall be required under this rule, to answer any question the answer to which might tend to criminate him.

Ascertainment of age by the Inspectors.

36. (1) An Inspector may require an employer to produce a certificate of age from a registered medical practitioner in respect of any person employed by him.

(2) Such certificate shall be in Form IX.

Maintenance of registers and records and display of notices.

37. (1) Every employer shall maintain a register of employment in Form X provided that where the opening and closing hours are ordinarily uniform the employer may maintain such Register in Form XI.

(2) Notwithstanding anything contained in sub-rule (1) an employer may, instead of maintaining a register as provided in the said sub-rule, exhibit in his establishment, a notice specifying the daily hours to be worked by, and intervals for rest and meals to be allowed to, the persons employed. The notice shall be in Form XII and shall be exhibited not later than the closing hour on the Saturday immediately preceding the first week in which the hours of work shall be as specified in such notice. It shall continue to be exhibited so long as the hours of work specified in it are observed.

(3) Where an employer has exhibited the notice referred to in sub-rule (2), he shall keep a record of hours of work in Form XIII.

(4) Every employer shall exhibit in his establishment a notice in Form XIV specifying the day or days of the week on which the persons employed by him shall be given a holiday. The notice shall be exhibited before the persons to whom it relates cease work on the Saturday immediately preceding the first week during which it is to have effect.

(5) Every employer shall exhibit in his establishment a notice containing such extracts of the Act and these rules, in English and in the language of the majority of the persons employed by him as the Government may direct.

(6) Any notice required to be exhibited under these rules shall be exhibited in such manner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes defaced or otherwise ceases to be clearly legible.

(7) In any register or record which an employer is required to maintain under these rules the entries relating to any day shall be made on such day.

(8) Save as otherwise provided in these rules, the registers, records and notices relating to any calendar year shall be preserved till the end of the next calendar year.

(9) If on an application made by an employer in writing, the Government is satisfied that any muster roll, register or record maintained by such employer gives in respect of all or any of the persons employed in his establishment the particulars required to be shown in any register, record or notice prescribed under this rule, the Government, may, by order in writing direct that such

muster roll, register or record shall to the corresponding extent be maintained in place of such register, record or notice as the case may be.

(10) Save as otherwise prescribed in sub-rule (5), all registers, records, muster rolls and notices required to be maintained, exhibited or given under these rules shall be either in English or in Kannada.

(11) Every employer shall maintain a Visit Book in which an Inspector or other competent authority visiting the establishment may record his remarks regarding any defects that may come to light at the time of his inspection and shall produce it whenever required to do so by any Inspector or other competent authority.

Manner of calculating the ordinary rate of wages.

38. For the purpose of the explanation to section 31 the "ordinary rate of wages" per hour shall be calculated in the following manner:—

Persons employed	Ordinary rate of wages per hour		
	If the person is employed on daily wages	If the person is employed on monthly wages	If the person is employed on yearly wages
(1) A person employed in a shop.	2/19 of the amount of daily wages.	1/247 of the amount of monthly wages.	1/2964 of the amount of yearly wages.
(2) A person employed in a commercial establishment.	1/8 of the amount of daily wages.	1/208 of the amount of monthly wages.	2/2496 of the amount of yearly wages.
(3) A person employed in a restaurant, eating house, theatre or other place of public amusement and entertainment.	1/10 of the amount of daily wages.	1/260 of the amount of monthly wages.	1/3120 of the amount of yearly wages.

Penalty.

39. Whoever contravenes any of these rules shall, on conviction, if no other penalty is already provided in the Act for such contravention, be punishable with fine which may extend to rupees fifty.

FORM I.

(RULES 3 AND 4.)

Notice is hereby given that the Government proposes to pass an order under sub-section (1) of section 7/13 of the Mysore Shops and Establishments Act, 1948, that with effect from .....

no shops / commercial establishment situated in ..... shall be opened on any day earlier than .....and/or shall be closed on any day later than.....

Any person wishing to make any objection or suggestion with respect to the above order shall send the same in writing to the Commissioner of Labour before the ..... day of .....1948.

Dated this ..... day of ..... 1948.

.....
Secretary to Government,
General Department.

FORM II.

(RULE 5.)

Lime-washing, etc.

Part of establishment, *e.g.*, name of room	Parts lime-washed, painted or varnished, *e.g.*, walls, ceilings, wood work, etc.	Treatment (whether lime-washed, painted or varnished)	Date on which lime-washing, painting or varnishing was carried out (according to the English Calendar)			Signature of occupier or employer	Remarks
			Day	Month	Year		

.....
(*Signature of Occupier*).

.....
(*Signature of Employer*).

FORM III.

(RULE 12).

Register of Holidays with wages.

Establishment.....Part I Adults

Department.....Part II young persons.

Sl. No.	Serial number in the Register of Employment of adult/ young person	Name	Father's name	Date of entry into service	Interruptions				
					Sickness and accident	Authorised leave	Lockout or legal strike	Involuntary unemployment	Others
1	2	3	4	5	6	7	8	9	10

Holidays due with effect from	Whether holidays not desired during the next twelve months	Date from which the person employed is allowed leave	Remuneration paid on	Discharged employee		Remarks
				Date of discharge	Date and amount of payment made in lieu of holidays due	
11	12	13	14	15	16	17

FORM IV.

(RULE 13).

Holiday Book.

Will be the same as the register but will be made out separately for each person employed on a thick bound sheet.

FORM V.

(RULE 12.)

Holidays with wages—Annual Return.

Name of establishment ..... for the year ending 31st December 194 .

Name of occupier .... Name of employer..... .....
District.....
Postal address.....
Nature of establishment.....

Total number of persons employed during the year. —

Men.....
Women ....
Young persons . .....

Number of persons who completed twelve months' continuous service during the year.—

Men.....
Women .....
Young persons.....

Number of persons who were granted holidays during the year.—

Men.....
Women .. ..
Young persons.....

Number of persons who gave notice not to avail themselves of holidays during the year in which holidays accrued.—

Men... .....
Women .....
Young persons.....

———

FORM VI.—(RULE 20).

Register of Fines.

Name of Establishment :—

Name of person employed fined	Father's name	Department	Act or omission for which fine was imposed	Amount of fine	Designation of officer imposing fine	Date on which fine was imposed	Whether person employed showed cause against fine or not. If so, enter date	Wages payable*		Total amount of fines	Date or dates on which fines or total fines were recovered	Remarks
								Amount	Wage period†			
1	2	3	4	5	6	7	8	9	10	11	12	13

* By "wages payable" is meant the gross wages earned by a person employed.

† Here enter month if payment is made by the English Calendar month. In the case of other pay periods, enter "week" or "fortnight" as the case may be, giving the dates covered by the pay period.

FORM VII.—(RULE 21).

Register of deductions for damage or loss caused to employers through the neglect or default of persons employed in respect of goods expressly entrusted to them for custody.

Name of Establishment :—

Serial number	Name	Father's name	Department	Damage or loss caused	Amount of deduction imposed	Designation of officer imposing deduction	Date when deduction imposed	Whether person employed showed cause against deduction or not	Nuber of instalments, if auy, in which deduction is proposed to be recovered	Date on which total amount of deduction imposed was realised	Remarks
1	2	3	4	5	6	7	8	9	10	11	12

FORM VIII.—(RULE 33).

Register of advances made to persons employed.

Name of Establishment :—

Serial number	Name	Father's Name	Department	Date and amount of advance made	Purpose(s) for which advance made	Number of instalments by which advance to be repaid	Postponements granted	Dates on which total amount repaid	Remarks

FORM IX

(RULE 36).

Form of Certificate.

I hereby certify that I have personally examined (name).....$\frac{\text{son}}{\text{daughter}}$ of ..... (Community, etc.)..... residing at ..... and that $\frac{\text{he}}{\text{she}}$ has comple $\frac{\text{his}}{\text{er}}$ $\frac{\text{twelfth}}{\text{seventeenth}}$ year.

Description marks are

Thumb impression or Signature.

Medical Practitioner.

FORM X.

[RULE 37(1).]

Register of Employment.

Month..... Year.....

Names of persons employed	Whether young person or not	Days of month					Total hours worked during the month	Days on which overtime work is done and extent of such overtime on each day*	Extent of overtime worked during the month	Extent of overtime worked previously during the year
		1			2	3				
		Time at which employment commences	Time at which employment ceases	Rest interval						

NOTE.—The mark " H " shall be made in the column relating to any day on which a holiday is given in accordance with the notice referred to in rule 37(4).

* This column need not be filled by commercial establishments.

FORM XI.

[RULE 37(1).]

Register of Employment.

Where opening and closing hours are ordinarily uniform.

Month..... Year.....

Names of persons employed	Whether young person or not	Time at which employment ceases	Rest interval	Hours worked on											Total hours worked during the month	*Days on which overtime work is done and extent of such overtime on each occasion	Extent of overtime worked during the month	Extent of overtime worked previously during the year
				1	2	3	4	5	6	7	8	9	10	11				

NOTE—The mark "H." shall be made in the column relating to any day on which a holiday is given in accordance with the notice referred to in rule 37(4).

* This column need not be filled by commercial establishments.

FORM XII.

RULE 37 (2)]

Notice.

Daily periods of work of persons employed

Commencing 19 .

Name of Employer or Establishment

Description of Department (if applicable)

Names of persons employed	Whether young person or not	Day		
		Employment to commence	Intervals for meals and rest	Employment to cease

(*Signed*),
(*Employer*)

Date *19* .

NOTE.—1. This notice must be exhibited not later than the closing hour on the Saturday preceding the first week in which it is to take effect, and must continue to be exhibited while it is in force, in such a manner that it may be readily seen and read by any person whom it affects.

2. The hours to be specified in this notice shall be the hours to be worked exclusive of overtime.

3. The entries under the heading "Intervals for meals and rest" shall be the actual times at which the intervals are to begin and end (*e.g.*, 1 P.M. to 2 P.M.).

FORM XIII.

[RULE 37 (3).]

Record of Hours of work of persons employed.

(To be used only when Notice in Form XII is exhibited).

Description of Department
(if applicable).

Month ..... year .....

Names of persons employed	Whether young person or not	Total hours worked during the month	*Days on which overtime work is done and extent of such overtime on each occasion	Extent of overtime worked during the month	Extent of overtime worked previously during the year

*This column need not be filled by commercial establishments.

NOTE.—Entries relating to any day must be made on that day.

FORM XIV.

[RULE 37 (4)].

Notice.

Holiday

The persons employed * in this
- Shop.
- Commercial Establishment.
- Restaurant.
- Eating house.
- Residential hotel.
- Theatre, etc.
- Other places of public amusement or entertainment.

Shall be given a holiday on the day named below in the week following the date of this notice and until further notice. †

‡Names or class of persons employed	Day on which holiday is allowed

Signature of Employer.

Date ... .

* Strike out the words which are not appropriate.

†Strike out the words "and until further notice" if the notice is intended to apply only to one week.

‡ If the same day is fixed for all the persons employed the word "all" only need be inserted in this column.

NOTIFICATION.

No. A. 3409--L. W. 141-47-2, dated 29th Marah 1948.

Draft of the Mysore Payment of Wages Rules.

The following draft of the Mysore Payment of Wages Rules which it is proposed to make in exercise of the powers conferred by sub-section (2) of Section 25 of the Payment of Wages Act, 1948 (III of 1948), is hereby published for general information as required by sub-section (5) of the said section.

Notice is hereby given that the draft will be taken into consideration after three months and three days from the date of publication in the Gazette and that any objection or suggestion which may be received from any person with respect thereto before the date aforesaid will be considered by the Government of Mysore. Objections and suggestions should be addressed to the General Secretary to Government through the Commissioner of Labour in Mysore, Bangalore.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

Draft Rules.

Title.

1. These rules may be called the "Mysore Payment of Wages Rules, 1948."

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context :—

(*a*) "the Act" means the Payment of Wages Act (III of 1948);

(*b*) "the Authority" means the authority appointed under sub-section (1) of section 15 of the Act;

(*c*) "the Chief Inspector of Factories" means the Chief Inspector of Factories appointed under sub-section (2) of section 10 of the Mysore Factories Act (I of 1936);

(*d*) "the Court" means the Court mentioned in sub-section (1) of section 17 of the Act;

(*e*) "deduction for breach of contract" means a deduction made in accordance with the provision of the proviso to sub-section (2) of section (9);

(*f*) "deduction for damage or loss" means a deduction made in accordance with the provisions of clause (*c*) of sub-section (2) of section 7;

(*g*) "Form" means a form appended to these rules;

(*h*) "Inspector" means the Inspector authorised by or under section 14 of the said Act;

(*i*) "person employed" excludes all persons to the payment of whose wages the Act does not apply;

(*j*) "section" means a section of the Act;

(*k*) "paymaster" means an employer or other person responsible under section 3 of the Act for the payment of wages;

(*l*) words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.

SECTION 25 (2) AND 25 (3) (*a*).

Register of fines.

3. (1) In any factory in respect of which the employer has obtained approval under sub-section (1) of section 8 to a list of acts and omissions in respect of which fines may be imposed, the paymaster shall maintain a Register of Fines in Form I.

(2) At the beginning of the Register of Fines, there shall be entered serially numbered the approved purpose or purposes on which the fines realized are to be expended.

(3) Vouchers or receipts in connection with any expenditure from the fines' fund shall be produced for the scrutiny of the Inspector when required by him.

Register of deductions for damage or loss.

4. In every factory in which deductions for damage or loss are made the paymaster shall maintain the Register required by sub-section (2) of section 10 in Form II.

Register of wages.

5. A Register of Wages shall be maintained in every factory and may be kept in such form as the paymaster finds convenient but shall include the following particulars:—

(*a*) the gross wages earned by each person employed for each wage period;

(*b*) all deductions made from those wages, with an indication in each case of the clause of sub-section (2) of section 7 under which the deduction is made;

(*c*) the wages actually paid to each person employed for each wage period.

Maintenance of registers.

6. The registers required by rules 3, 4, 5 and 17 shall be preserved by the employer for twelve months after the date of the last entry made in them.

SECTION 25 (3) (*c*).

Weights, Measures and Weighing Machines.

7. All weights or measures or weighing or measuring instruments which are used in checking or ascertaining the wages of persons employed in any factory shall be examined in accordance with the provisions of the Mysore Weights and Measures Act, 1902. If an Inspector considers that any action should be taken under the said Act, he may seize the article in question and shall report the matter with his opinion to the Inspector of Weights and Measures having jurisdiction under the said Act for necessary action.

SECTION 25 (3) (*d*).

Notice of dates of payment.

8. The paymaster shall display, in a conspicuous place at or near the main entrance of the factory, a notice in English and in the language of the majority of the persons employed therein, showing the days on which wages are to be paid.

SECTION 25 (3) (*a*), (*f*), (*g*) and (*i*).

Prescribed authority.

9. The Chief Inspector of Factories shall be the authority competent to approve under sub-section (1) of section 8, acts and omissions in respect of which fines may be imposed and, under sub-section (8) of Section 8, the purposes on which the proceeds of fines shall be expended.

Application in respect of fines.

10. Every employer requiring the power to impose fines in respect of any acts and omissions on the part of employed persons shall send to the authority appointed under rule 9 :—

(*a*) a list, in english, in duplicate, clearly defining such acts and omissions;

(*b*) in cases where the employer himself does not intend to be the sole person empowered to impose fines, a list, in duplicate, showing these appointments in his factory of which the incumbents may pass orders imposing fines and the class of establishment on which the incumbent of each such appointment may impose fine.

Approval o lists.

11. The authority appointed under rule 9 on receipt of the lists prescribed in the preceding rule may, after such enquiry as he considers necessary, pass orders either :—

(*a*) disapproving the lists,

(*b*) approving the lists either in their original form or as amended by him, in which case such lists shall be considered to be approved lists,

provided that no order disapproving or amending any lists shall be passed unless the employer shall have been given an opportunity of showing cause orally or in writing why the lists as submitted by him should be approved.

Posting of list.

12. The employer shall display at or near the main entrance of the factory a copy in English, together with a literal translation thereof, in the language of the majority of the persons employed therein, of the list of acts and omissions approved under rule 11.

Persons authorised to impose fines.

13. No fine may be imposed by any person other than an employer, or a person holding an appointment named in a list submitted under rule 10.

Procedure imposing fines and deductions.

14. Any person desiring to impose a fine on an employed person or to make a deduction for damage or loss shall explain personally to the said person the act or omission, or damage or loss, in respect of which the fine or deduction is proposed to be imposed and the amount of the fine or deduction, which it is proposed to impose, and shall hear his explanation in the presence of at least one other person.

Information to paymaster.

15. The person imposing a fine or directing the making of a deduction for damage or loss shall at once inform the paymaster of all particulars, so that the register described in rule 3 or rule 4 may be duly completed.

SECTION 25 (3) (*h*).

Deductions for breach of contract.

16. (1) No deduction for breach of contract shall be made from the wages of an employed person who is under the age of fifteen years or is a woman.

(2) No deduction for breach of contract shall be made from the wages of any employed person unless:—

(*a*) there is provision in writing forming part of the terms of the contract of employment requiring him to give notice of the termination of his employment and

(i) the period of this notice does not exceed fifteen days of the wage-period, whichever is less; and

(ii) the period of this notice does not exceed the period of notice which the employer is required to give of the termination of that employment;

(*b*) this rule has been displayed in English and in the language of the majority of the employed persons at or near the main entrance of the factory and has been so displayed for not less than one month before the commencement of the absence in respect of which the deduction is made;

(*c*) a notice has been displayed at or near the main entrance of the factory giving the names of the persons from whom the deduction is proposed to be made, the number of days' wages to be deducted and the conditions (if any) on which the deduction shall be remitted:

Provided that where the deduction is proposed to be made from all the persons employed in any departments or sections of the factory, it shall be sufficient, in lieu of giving the names of the persons in such departments or sections, to specify the departments or sections affected.

(3) No deduction for breach of contract shall exceed the wages of the person employed for the period by which the notice of termination of service given falls short of the period of such notice required by the contract of employment.

(4) If any conditions have been specified in the notice displayed under clause (c) of sub-rule (2), no deduction for breach of contract shall be made from any person who has complied with these conditions.

SECTION 25 (2) AND 25 (3) (*j*).

Advances.

17. (1) A advance of wages not already earned shall not, without the previous permission of an Inspector, exceed on amount equivalent to the wages earned by the employed person during the preceding four calendar months, or if he has not been employed for that period, the wages he is likely to earn during the four subsequent calendar months.

(2) The advance may be recovered in instalments by deductions from wages spread over not more than eighteen months. No instalments shall exceed one-third, or where the wages for any wage-period are not more than twenty rupees, one-fourth of the wages for the wage-period in respect of which the deduction is made.

(3) The amounts of all advances sanctioned and the repayments thereof shall be entered in a register in Form III.

(4) The rate of interest charged for advances under sub-rule (1) shall not exceed 6¼ per cent per annum.

SECTION 25 (2), 25 (3) (*a*) AND 25 (3) (*b*).

18. The paymaster shall send a return in Form IV in respect of every factory so as to reach the authority appointed under rule 9 not later than the 15th of February following the end of the calendar year to which it relates. Annual Return.

19. In every cotton spinning and weaving factory and in every artificial silk factory, a notice shall be displayed by the paymaster in each department of the factory, specified the rates of wages payable to all persons employed in such factory other than those who are employed in positions of supervision or management or those who are employed in a confidential position in accordance with the provisions of the Mysore Factories Rules, 19. Display of rates of wages.

SECTION 25 (3) (*j*).

20. (1) Where the Authority or the Court, as the case may be, directs that any costs shall not follow the event, it shall state his/its reasons for so doing in writing. Costs.

(2) The costs which may be awarded shall include :—

(*a*) the charges necessarily incurred on account of court-fees ;

(*b*) the charges necessarily incurred on subsistence money to witnesses ; and

(*c*) Pleader's fees which shall ordinarily be Rs. 10, provided that the Authority or the Court, as the case may be, in any proceedings, may reduce the fee to a sum not less Rs. 5 or increase it to a sum not exceeding Rs. 30.

(3) When a party engages more pleaders than one to defend a case, he shall be allowed one set of costs only.

21. The Authority or the Court, as the case may be, may fix fees on the payment of which any person entitled to do so may obtain copies of any documents filed with the Authority or Court, as the case may be : Fees.

Provided that the Authority or the Court, as the case may be, may, in consideration of the property of the applicant, grant copies free of cost.

SECTION 25 (3) (*l*).

22. The fee payable in respect of proceedings under the Act shall be :—

(i) For every application to summon a witness.	Four annas in respect of each witness.
(ii) For every other application made by or on behalf of an individual person before the Authority.	Eight annas.
(iii) For every other application made by or on behalf of an unpaid group before the Authority.	Four annas for each member of the group, subject to a maximum of five rupees.
(iv) For every appeal lodged with the Court.	Five rupees.

Provided that the Authority or the Court may, in consideration of the poverty of the applicant, reduce or remit the fee ;

Provided further that no fee shall be chargeable in respect of an application presented by an Inspector.

SECTION 25 (3) (*m*).

Abstracts.

23. The abstracts of the Act and of the rules made thereunder to be displayed under section 24 shall be in Form V.

SECTION 25 (4).

Penalties.

24. Any breach of rules 3, 4, 5, 6, 8, 12, 15, 18 and 19 of these rules shall be punishable with fine which may extend to two hundred ruppes.

FORM IV.

Deductions from Wages.

Return for the year ending 31st December 19

1. (a) Name of the Factory.
   (b) Postal address.
   *(c) Class of Factory.

2†. Average number of workers employed daily—

‡ on day shift ... (Men)
... (Women)
‡ on night-shift ... (Men)

Total ...

3†. Actual number of days worked during the year—
‡ On day-shift
‡ On night-shift.

4. Total wages paid including deductions under clauses (d) to (j) of sub-section (2) of section 7 of the Payment of Wages Act, 1948, but not other deductions :—

Rs. a. p.

(Men)
(Women) ...

Total ...

5. Number of cases and amounts realised as—

	No. of cases	Amount
		Rs. a. p.
(a) Fines		
(b) Deductions for damage or loss		
(c) Deductions for breach of contract		

6. Disbursements from fine fund :—

	Amount	Purpose
	Rs. a. p.	

Signature .....

Dated .....19.. *Designation* .....

*e.g.—Cotton mill, Iron foundry, Flour mill, etc.

† Information should only be given for those workers whose wages payable are less than Rs 200 per month.

‡ If any factory runs more than two shifts, the information should be given separately for each shift, *e.g.*, 1st shift, 2nd shift and 3rd shift.

FORM V.

Abstract of the Payment of Wages Act, 1948 and the Rules made thereunder.

Whom the Act affects.

1. The Act applies to the payment of wages to persons in this factory receiving less than Rs. 120 a month.

2. No employed person can give up by contract, or agreement, his rights under the Act.

Definition of Wages.

3. "Wages" means all remuneration payable to an employed person on the fulfilment of his contract of employment.

It includes over-time pay; bonus, additional remuneration for increased output or any other additional remuneration of similar nature, any sum payable to counteract abnormal economic conditions and any sum payable for want of proper notice of discharge.

It excludes—

(*a*) the value of house-accommodation, supply of light, water, medical attendance, or other amenity or of any service excluded by the Government;

(*b*) the employer's contribution to a pension or provident fund;

(*c*) travelling allowance or concession or other special expenses entailed by the employment;

(*d*) any gratuity payable on discharge.

Responsibility for and method of Payment.

4. The manager of the factory is responsible for the payment under the Act of wages to persons employed under him, and any contractor employing persons is responsible for payment to the persons he employs.

5. Wage-periods shall be fixed for the payment of wages at intervals not exceeding one month.

6. Wages shall be paid on a working day within ten days of the end of the wage period.

The wages of a person discharged shall be paid not later than the third working day after his discharge.

7. Payments in kind are prohibited.

Fines and Deductions.

8. No deductions shall be made from wages except those authorised under the Act (see paragraphs 9—15 below).

9. (1) Fines can be imposed only for such acts and omissions as the employer may, with the previous approval of the Chief Inspector of Factories, specify by a notice displayed at or near the main entrance of the factory and after giving the employed person an opportunity for explanation.

(2) Fines—

(*a*) shall not exceed half-an-anna in the rupee;

(*b*) shall not be recovered by instalments, or later than sixty days of the date of imposition;

(*c*) shall be recorded in a register and applied to such purposes beneficial to the employed persons as approved by the Chief Inspector of Factories;

(*d*) shall not be imposed on an employed person under the age of fifteen years.

10. (*a*) Deductions for absence from duty can be made only on account of the absence of the employed person at times when he should be working, and such deductions must not exceed an amount which is in the same proportion to his wages for the wage period, as the time he was absent in that period is to the total time he should have been at work.

(*b*) If ten or more employed persons, acting in concert, absent themselves without reasonable cause and without due notice, the deduction for absence can include wages for eight days in lieu of notice, but—

(1) no deduction for breaking a contract can be made from a person under 15 or a woman.

(2) there must be a provision in writing which forms part of the contract of employment requiring that a specific period of notice of intention to cease work not exceeding 15 days or the period of notice which the employer has to give to discharge a worker, must be given to the employer and that wages may be deducted in lieu of such notice.

(3) The above provision must be displayed at or near the main entrance of the factory.

(4) No deduction of this nature can be made until a notice that this deduction is to be made has been posted at or near the main entrance of the factory.

(5) No deduction must exceed the wages of the employed person for the period by which the notice he gives of leaving employment, is less than the notice he should give under his contract.

11. Deductions can be made for damage to or loss of goods expressly entrusted to an employed person or for loss of money for which he is required to account, where such damage or loss is due to his neglect or default.

Such deduction cannot exceed the amount of the damage or loss caused and can be made only after giving the employed person an opportunity for explanation.

12. Deductions can be made, equivalent to the value thereof, for house accommodation, amenities, or services (other than tools and raw material) supplied by the employer, provided these are accepted by the employed person as a part of the terms of his employment and have in the case of amenities and services been authorised by order of Government.

13. (*a*) Deductions can be made for the recovery of advances, or for adjustment of overpayment of wages.

(*b*) Advances made before the employment began can only be recovered from the first payment of wages for a complete wage-period but no recovery can be made of advances given for travelling expenses before employment began.

(*c*) Advances of unearned wages can be made at the Paymaster's discretion during employment but must not exceed the amount of four months' wages without the permission of an Inspector.

These advances can be recovered by instalments, spread over not more than 18 months and instalments must not exceed one-third or if the wages are not more than Rs. 20, one-fourth of the wages for any wage-period.

14. Deductions can be made for subscription to and for repayment of advances from any recognised provident fund.

15. Deductions can be made for payments to co-operative societies approved by the Provincial Government or to the insurance, of the Government Insurance Department subject to any conditions imposed by the Government.

Inspections.

16. An Inspector can enter on any premises, and can exercise powers of inspection (including examination of documents and taking evidence) as he may deem necessary for carrying out the purposes of the Act.

Complaints of deductions or delays.

17. (1) Where irregular deductions are made from wages, or delays in payment take place, an employed person can make an application in the prescribed form within six months to the Authority appointed by the Provincial Government for the purpose. An application delayed beyond this period may be rejected unless sufficient cause for the delay is shown.

(2) Any legal practitioner, official of a registered trade union, Inspector under the Act, or other person acting with the permission of the Authority can make the complaint on behalf of an employed person.

(3) A single application may be presented by, or on behalf of, any number of persons belonging to the same factory the payment of whose has been delayed.

Action by the Authority.

18. The Authority may award compensation to the employed person in addition to ordering the payment of delayed wages or the refund of illegal deductions.

If a malicious or vexatious complaint is made, the Authority may impose a penalty not exceeding Rs. 50 on the applicant and order that it be paid to the employer.

Appeal against the Authority.

19. An appeal against a direction made by the Authority may be preferred, within 30 days, in Bombay to the Court of Small Causes and elsewhere to the District Court.—

(*a*) by the Paymaster if the total amount directed to be paid exceeds Rs. 300;

(*b*) by an employed person, if the total amount of wages withheld from him or his co-workers, exceeds Rs. 50;

(*c*) by a person directed to pay a penalty for a malicious or vexatious application.

Punishments for Breaches of the Act.

20. Any one delaying the payment of wages beyond the due date, or making any unauthorised deduction from wages is liable to a fine up to Rs. 500 but only if prosecuted with the sanction of the Authority or the Appellate Court.

21. The paymaster, who:—

(i) does not fix a wage-period, or

(ii) make payment in kind, or

(iii) fails to display at or near the main entrance of the factory this abstract in English and in the language of the majority of the employed persons, or

(iv) breaks certain rules made under the Act,

is liable to a fine not exceeding Rs. 200.

A complaint to this effect can be made only by the Inspector, or with his sanction.

NOTIFICATION.

No. B. 3409—L. W. 141-47-3, dated the 29th March 1948.

Draft of the Mysore Payment of Wages (Procedure) Rules.

The following draft of the Mysore Payment of Wages (Procedure) Rules, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 25 of the Payment of Wages Act, 1948 (III of 1948) is hereby published for general information as required by sub-section (5) of the said section.

Notice is hereby given that the draft will be taken into consideration after three months and three days from the date of publication in the Gazette and that any objection or suggestion which may be received from any person with respect thereto before the date aforesaid will be considered by the Government of Mysore. Objections and suggestions should be addressed to the General Secretary to Government through the Commissioner of Labour in Mysore, Bangalore.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

Draft Rules.

Short title.

1. These rules may be called the Mysore Payment of Wages (Procedure) Rules, 1948.

Definitions.

2. In these rules, unless there is anything repugnant in the subject or context—

(*a*) "the Act" means the Payment of Wages Act (III of 1948);

(*b*) "appeal" means an appeal under Section 17;

(*c*) "the authority" means the authority appointed under sub-section (1) of Section 15;

(*d*) "the Court" means the court mentioned in sub-section (1) of Section 17;

(*e*) "employer" includes the persons responsible for the payment of wages under Section 3;

(*f*) "section" means a section of the Act;

(*g*) "form" means a form appended to these rules;

(*h*) words and expressions defined in the Act shall be deemed to have the same meaning as in the Act.

3. Applications under sub-section (2) of Section 15 by or on behalf of an employed person or group of employed persons shall be made in duplicate in Form A, Form B or Form C as the case may be, one copy of which shall bear such court-fee as may be prescribed. Form of application.

4. The authorisation to act on behalf of an employed person or persons, under Section 15, shall be given by a certificate in Form D, shall be presented to the Authority hearing the application and shall form part of the record. Authorisation.

5. Any person desiring the permission of the Authority to act on behalf of any employed person or persons shall present to the Authority a brief written statement explaining his interest in the matter, and the Authority shall record an order on the statement, which in the case of refusal shall include reasons for the order, and shall incorporate it in the record. Permission to appear.

6. (1) Application or other documents relevant to an application may be presented in person to the Authority at any time during the hours to be fixed by the Authority, or may be sent to him by registered post. Presentation of documents.

(2) The Authority shall at once endorse, or cause to be endorsed on each document, the date of the presentation or receipt, as the case may be.

7. (1) The Authority may refuse to entertain an application presented under rule 6, if after giving the applicant an opportunity of being heard, the Authority is satisfied, for reasons to be recorded in writing that— Refusal to entertain application.

(*a*) the applicant is not entitled to present an application, or

(*b*) the application is barred by reason of the provisions in the provisos to sub-section (2) of Section 15, or

(*c*) the applicant shows no sufficient cause for making a direction under Section 15.

(2) The Authority may refuse to entertain an application which is insufficiently stamped or is otherwise incomplete and, if he so refuses, shall return it at once with an indication of the defects. If the application is presented again after the defects have been made good, the date of re-presentation shall be deemed to be the date of presentation for the purposes of the provisos to sub-section (2) of Section 15.

8. (1) If the application is entertained, the Authority shall call upon the employer by a notice in Appearance of parties.

Form E to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(2) If the employer or his representative fails to appear on the specified date, the Authority may proceed to hear and determine the application *ex parte*.

(3) If the applicant fails to appear on the specified date, the Authority may dismiss the application:

Provided that an order passed under sub-rule (2) or sub-rule (3) may be set aside and the applicant re-heard on good cause being shown within one month of the date of the said order, notice being served on the opposite party of the date fixed for re-hearing.

Record of proceedings.

9. (1) The Authority shall in all cases enter the particulars indicated in Form F and at the time of passing orders shall sign and date the Form.

(2) In a case where no appeal lies, no further record shall be necessary.

(3) In a case where an appeal lies, the Authority shall record the substance of the evidence and shall append it under his signature to the record of direction in Form F.

Signature on forms.

10. Any form, other than a Record of Direction, which is required by these rules to be signed by the Authority, may be signed under his direction and on his behalf by any officer subordinate to him appointed by him in writing for this purpose.

Exercise of powers.

11. In exercising the powers of a Civil Court conferred by Section 18, the Authority shall be guided in respect of procedure by the relevant orders of the First Schedule of the Code of Civil Procedure, 1911, with such alterations as the Authority may find necessary, not affecting their substance, for adapting them to the matter before him, and save where they conflict with the express provisions of the Act or these rules.

Appeals.

12. (1) An appeal shall be preferred in duplicate in the form of a memorandum, one copy of which shall bear the prescribed court-fee, setting forth concisely the grounds of objection to the directions and shall be accompanied by a certified copy of that direction.

(2) When an appeal is lodged a notice shall issue to the respondent in Form G.

(3) The Court after hearing the parties and after such further inquiry, if any, as it may deem necessary,

may confirm, vary, or set aside the direction from which the appeal is preferred, and shall make an order accordingly.

Inspection of documents.

13. Any employed person, or any employer or his representative, or any person permitted under sub-section (2) of Section 15 to apply for a direction, shall be entitled to inspect any application, memorandum of appeal, or any other document filed with the Authority or the Court, as the case may be, in a case to which he is a party, and may obtain copies thereof on the payment of such fees as may be prescribed.

FORM A.

Form of Individual Application.

(See sub-section (2) of Section 15 of the Payment of Wages Act).

In the Court of the Authority appointed under the Payment of Wages Act (III of 1948) for ..... area.

Application No. of 194 .

Between A. B. C. Applicant.

(through) a legal practitioner, / an official of which is a registered Association.

And X. Y. Z. Opposite party.

The applicant states as follows :—

1. A. B. C. is a person employed in/on the..... factory/railway/industrial establishment entitled..... and resides at.....

The address of the applicant for the service of all notices and processes is.....

2. X. Y. Z., the opposite party, is the person responsible for the payment of his wages under Section 3 of the Act, and his address for the service of all notices and processes is.....

3. (1) The applicant's wages have not been paid for the following wage period(s) (give dates)

Or a sum of (amount) has been unlawfully deducted from his wages of (amount) for the wage period(s) which ended on (give date/s).

(2) (Here give any further claim or explanation).

4. The applicant estimates the value of the relief sought by him at the sum of rupees.....

5. The applicant prays that a direction may be issued under sub-section (3) of Section 15 for :—

(*a*) Payment of his delayed wages as estimated or such greater or lesser amount as the Authority may find to be due.

Or refund of the amount illegally deducted.

(*b*) Compensation amounting to

The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate.

Signature or thumb impression of the employed person, or legal practitioner, or official of Registered Association duly authorised.

FORM B.

Form of Group Application.

(See sub-section (2) of Section 15 and Section 16 of the Payment of Wages Act).

In the Court of the Authority appointed under the Payment of Wages Act (III of 1948) for area.

Application No. of 194 .

Between A. B. C. and (state the number) others, applicants : (through a legal practitioner/an official of which is a registered Association).

And X. Y. Z. , Opposite party.

The applicants state as follows:—

1. The applicants whose names appear in the attached schedule are persons employed in/on the factory/railway/industrial establishment entitled.....

The address of the applicants' for service of all notices and processes is .....

2. X. Y. Z., the opposite party, is the person responsible for the payment of wages under Section 3 of the Act, and his address for the service of all notices and processes is.....

3. The applicants' wages have not been paid for the following wage period(s):—

4. The applicants estimate the value of the relief sought by them at the sum of rupees.....

5. The applicants pray that a direction may be issued under sub-section (3) of Section 15 for :—

(*a*) Payment of the applicant's delayed wages as estimated or such greater or lesser amount as the Authority may find to be due.

(*b*) Compensation amounting to.....

The applicants certify that the statement of facts contained in this application is to the best of their knowledge and belief accurate.

Signature or thumb impression of two of the applicants, or legal practitioner, or an official of a registered trade union duly authorised.

SCHEDULE.

Name of applicants :—

1.
2.
3.
4.
*
*

FORM C.

Form of Application by an Inspector or person permitted by the Authority or authorised to act.

(See sub-section (2) of section 15 and Section 16 of the Payment of Wages Act).

In the Court of the Authority appointed under the Payment of Wages Act, for area,

Application No. of 194 .

Between

A.B.C., (designation) an Inspector under the Payment of Wages Act) (or a person permitted by the Authority/authorised to act under sub-section (2) of section 15) ..... applicant.

And

X. Y. Z. the opposite party.

The applicant states as follows :—

1. X. Y. Z., the opposite party is the person responsible under the Act for the payment of wages to the following person (s) :—

(1)
(2)
(3)
*
*

2. His address for the service of all notices and processes is .....

3. The wages of the said person(s) due in respect of the following wage period(s) have not been paid/have been subjected to the following illegal deductions ;—

4. The applicant estimates the value of the relief sought for the person(s) employed at the sum of Rs.....

5. The applicant prays that a direction may be issued under sub-section (3) of section 15 for.—

(*a*) Payment of the delayed wages as estimated or such greater or lesser amount as the Authority may find to be due.

Or refund of the amount illegally deducted.

(*b*) Compensation amounting to.....

The applicant certifies that the statement of facts contained in this application is to the best of his knowledge and belief accurate.

Signature.

FORM D.

Certificate of Authorisation.

I/We, employed person(s) hereby authorise a legal practitioner/an official of.....which is a registered association to act on my/our behalf under section 15, and section 17 of the Payment of Wages Act (III of 1948) in respect of the claim against on account of the delay in payment of/illegal deductions from my/our wages for

Witnesses	(1)	Signatures	(1)
	(2)		(2)
	(3)		(3)
	(4)		(4)
	*		*
	*		*
	*		*

I accept the authorisation. Signature.

Legal practitioner/Official
of a Registered Association.

FORM E.

Notice for the Disposal of Application.

To

WHEREAS under the Payment of Wages Act, 1948 (III of 1948), a claim against you has been presented to me in the application of which a copy is enclosed, you are hereby called upon to appear before me either in person, or by any person duly instructed, and able to answer all material questions relating to the application, or who shall be accompanied by some person able to answer all such questions, on the day of 19 at o'clock in the fore/after noon to answer the claim; and as the day fixed for

your appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your defence.

Take notice that, in default of your appearance on the day before mentioned, the application will be heard and determined in your absence.

Given under my hand and seal, this day of 19

(Seal) Authority

FORM F.

Record of Direction.

(1) Serial Number.
(2) Date of application.
(3) Name or names, parentage, addresses address or of the applicants, or some. or all of the applicants belonging to the same unpaid group.
(4) Name and address of the employer.
(5) Amount claimed :—
(a) as delayed wages : Rs.
(b) as deducted from wages : Rs.
(6) Plea of the employer and his examination (if any) :—
(7) Finding, and, in the case of a direction under sub-section (3) or (4) of section 15, a brief statement of the reasons therefor :—

Rs.

(8) Amounts awarded :—
(a) Delayed wages.
(b) Deducted wages.
(9) Compensation awarded.
(10) Penalty imposed.
(11) Costs awarded to :—
(i) Court-fee charges.
(ii) Pleader's fee.
(iii) Witnesses expenses.

Signed.....

Dated.....

NOTE.—In cases where an appeal lies attach on a separate sheet the substance of the evidence.

FORM G.

Notice to Respondent of the Day fixed for the Hearing of the Appeal under Section 17 of the Payment of Wages Act, 1948.

Appeal from the decision of the Authority for the area, dated the day of 19 .

To

Respondent.

Take notice that an appeal of which a copy is enclosed from the decision of the Authority for area has been presented by X. Y. Z. (and others), and registered in this Court, and that the day of 19 has been fixed by this Court for the hearing of this appeal.

If no appearance is made on your behalf by yourself, or by some one by law authorised to act for you in this appeal, it will be heard and decided in your absence.

Given under my hand and the seal of the Court, this day of 19 .

Judge.

(Seal of the Court).

NOTIFICATIONS.

No. S. D. 7140—C. 100-47-42, dated Bangalore, the 29th March 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that " the Controlled Commodities " and " Controlled Foodgrains Transport Order, 1943 " published under Notification No. S. D. 15187-28, dated 6th April 1943 be repealed with effect from the date of publication of this notification and to further direct with reference to Sub-Rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said notification in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 7169—C. 73-47-53, dated Bangalore, 29th March 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1947 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in Notification No. 1—1946 (F. D.), dated 18th January 1946 issued by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

AMENDMENT.

In the Schedule annexed to the said Notification, for the existing Serial Nos. 12, 14, 18 and 26, substitute the following:—

Sl. No.	Name of commodity	Wholesale price	Retail price
			Rs. a. p.
12	Wheat ...	Rs 39-3-0 per bag of 236 lbs. nett.	0 2 9 per lb.
14	Wheat flour (Elgin Mills).	Rs. 39-7-0 per bag of 196 lbs. nett.	0 3 4 per lb.
18	Bran ...	Rs. 14 per 100 lbs. loose Ex-Elgin Mills. Rs. 14-2-0 per 100 lbs (loose) Ex-Sub-Depot.	0 2 5
26	Bread ...	Loaf of 2 lbs. ... Do 1 lb. ... Do ½ lb. ... Do ¼ lb. ...	0 10 0 0 5 0 0 2 6 0 1 3

This amendment shall come into force with effect from 15th December 1947.

No. S.D. 7191—C, 21-47-85, dated Bangalore, the 30th March 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules, as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), the Government of His Highness the Maharaja are hereby pleased to make the following Order and to direct with reference to Rule 119 of the said Rules that notice of this Order be given by publishing it in the Gazette and issue of a Press Note explaining its provisions :—

1. (1) This Order may be called the Mysore Kerosene Price-Control Order, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context :—

(*a*) "Controller" means the person appointed by Government as the Kerosene Controller and includes any other person authorised by him to exercise all or any of the powers of the Controller under this Order.

(*b*) "Dealer" means a person carrying on the business of selling kerosene oil, whether wholesale or retail.

3. (1) The Controller may, from time to time, by notification in the Official Gazette, fix the prices at which kerosene may be sold either wholesale or retail.

(2) Where the prices have been so fixed, no person shall sell or offer to sell kerosene at prices in excess of those fixed by the Controller under this clause.

4. Every dealer shall comply with such directions as may be given by the Controller for carrying out the provisions of this Order.

5. Every dealer shall maintain such accounts in such manner and in such form as may be specified by the Controller by general or special Order.

6. If any person contravenes the provisions of this Order, then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that the Kerosene together with the receptacles in which it is contained in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to the Government.

7. Any Officer authorised by the Controller may enter upon and inspect any premises in which he has reason to believe that the purchase or sale or both of

kerosene is taking place contrary to the provisions of this Order.

8. Every retail dealer shall have in his possession ready for use in his place of business at least one measure whose capacity in ounces is marked clearly upon it and which is of such capacity as to enable the dealer to measure out readily one bottle, half a bottle and quarter of a bottle. For the purposes of this clause a bottle shall mean a bottle with a capacity of 24 fluid ounces.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. 3439—R T. 25-47-3, dated Bangalore, the 31st March 1948.

The following draft of an amendment to the Mysore Motor Vehicles and Road Traffic Rules, 1945, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by section 77-S read with section 100 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944) are hereby published for the information of persons likely to be affected thereby, as required by section 125 of the said Act.

Notice is hereby given that the draft will be taken into consideration after 15th April 1948, and objections or suggestions, if any, may be forwarded *before that date* to the Secretary to Government, General Department, for consideration.

DRAFT AMENDMENT.

In form No. 48 of Appendix I to the Mysore Motor Vehicles and Road Traffic Rules, 1945, after item 7, the following item shall be added, namely,

"8 (*a*) Name of the company where a cover note is taken regarding III party risks.

(*b*) Number of the cover note.

(*c*) Period of validity of the Insurance cover.

No. T. 3502—R. T. 25-47-4, dated Bangalore, the 31st March 1948.

The draft of the following further amendments to the Mysore Motor Vehicles and Road Traffic Rules, 1945, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by Section 55 (2) (*b*) of the Mysore Motor Vehicles and Road Traffic Act, 1944 (No. XXVII of 1944) are hereby published for the information of all persons likely to be affected thereby as required by Section 125 of the said Act.

Notice is hereby given that any suggestion or objection to the said draft may be forwarded to the Secretary to Government, General Department, so as to reach him on or before 15th April 1948 for consideration. Suggestion or objection received after the said date will not be taken into consideration.

DRAFT AMENDMENTS.

In rules 346 (*b*) and 383 (*b*) of Mysore Motor Vehicles and Road Traffic Rules, 1945, *for* the words and figures "the first day of January 1948" the words and figures "the first day of January 1951" *shall be substituted.*

No. S. R. 3643—L. W. 37-47-13, dated Bangalore, 5th April 1948.

In para 2 of Notification No. S. R. 3412—L. W., dated 29th March 1948, publishing the draft of the Mysore Shops and Establishment Rules in the *Mysore Gazette* dated 1st April 1948, the words "15th of April" may be substituted for the words "5th April".

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. SD. 7296—R. 22-47-16, dated Bangalore, the 30th—31st March 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary powers) Act, 1946, (XXIV of 1946) as applied to Civil and Military Station, Bangalore, and continued by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendments shall be made to

the Bangalore Restrictions of Food Consumption Order, 1946, published in Notification No. F. 27 (1) 46—W. dated the 25th March 1946 :—

1. Delete sub-clauses 1 (*a*) and (*b*) of Clause 6 of the Order.

2. Substitute the following for sub-clause 2 of Clause 6 of the Order.—

> "6. The serving of food made of rationed cereals is prohibited in all public and private entertainments for gatherings of more than ten persons at a time excluding the number of persons actually present mentioned in the ration card of the host."

The above amendments shall come into force from the date of publication of this notification.

No. SD. 7303—C. 38-47-58, dated Bangalore, 30th—31st March 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1947 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the restrictions on the transport of jaggery to places outside the Civil Station, Bangalore, imposed under the Bangalore Jaggery Control Order, 1948, issued under Government Notification No. SD. 5158—C. 22-47-45, dated 17th January 1948, be suspended and free export permitted until further orders.

No. S. D. 7371—C. 21-47-38, dated Bangalore, 1st April 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application

of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to make the following Order :—

1. (1) This Order may be called the Bangalore Kerosene Price Control Order, 1948.

(2) It extends to the whole of Civil Station Area, Bangalore.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context,—

(*a*) "Controller" means the person appointed by Government as the Kerosene Controller and includes any other person authorised by him to exercise all or any of the powers of the Controller under this Order.

(*b*) "Dealer" means a person carrying on the business of selling kerosene oil, whether wholesale or retail.

3. (1) The Controller may, from time to time, by notification in the Official Gazette, fix the prices at which kerosene may be sold either wholesale or retail.

(2) Where the prices have been so fixed, no person shall sell or offer to sell kerosene at prices in excess of those fixed by the Controller under this clause.

4. Every dealer shall comply with such directions as may be given by the Controller for carrying out the provisions of this Order.

5. Every dealer shall maintain such accounts in such manner and in such form as may be specified by the Controller by general or special Order.

6. If any person contravenes the provisions of this Order, then without prejudice to any other punishment to which he may be liable, any Court trying the offence may order that the Kerosene together with the receptacles in which it is contained in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to the Government.

7. Any Officer authorised by the Controller may enter upon and inspect any premises in which he has reason to believe that the purchase or sale or both of kerosene is taking place contrary to the provisions of this Order.

8. Every retail dealer shall have in his possession ready for use in his business at least one measure whose capacity in ounces is marked clearly upon it and which is of such capacity as to enable the dealer to measure out readily one bottle, half a bottle and quarter of a bottle. For the purposes of this clause a bottle shall mean a bottle with a capacity of 24 fluid ounces.

No. S. D. 7417—C. 100-47-44, dated Bangalore, 2nd April 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the Food Grains Control Order, 1942, published under Notification No. R. 335—R. M. 93-41-4, dated the 13th July 1942 be repealed with effect from the date of publication of this Notification and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the Official Gazette.

No. S. D. 7530—C. 100-47-46, dated Bangalore, the 5th April 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to direct—

(1) that the following foodgrains, *viz.*, paddy and maize shall be omitted from Schedule I to the Articles of Food Acquisition (Harvest) Order, 1944, and that the provisions of the said Order shall not with effect from the date of publication of this Notification, apply to the said articles of foodgrains;

(2) that the export of paddy from any place within the State to any place outside the State be prohibited except under and in accordance with the terms of a permit from the Director of Food Supplies or any Officer authorised by him in this behalf; and

(3) that this omission of paddy and maize from the schedule shall not—

(*a*) affect any right, privilege, obligation or liability acquired, accrued or incurred thereunder prior to this omission;

(*b*) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the provisions of the Articles of Food Acquisition (Harvest) Order, 1944, prior to this omission; and

(*c*) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment imposed under the Articles of Food Acquisition (Harvest) Order, 1944, prior to this omission or Rule 81 (4) of the Defence of India Rules, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Order had not been passed.

Government further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the same be given by the publication of the said Notification in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 7563—C. 37-47-47, dated Bangalore, 6th April 1948.

Under clause (c) of sub-section 2 of Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947) the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in Notification No. 1—1946 (F.D.), dated 16th January 1946, issued by the Collector and Controller of Civil Supplies, Civil and Military Station, Bangalore.

Amendment.

In the schedule annexed to the said Notification, *delete* the following—

Sl. No.	Name of commodity	Wholesale price	Retail price
		Rs. a. p.	Rs. a. p.
11-A.	Maize	19 5 0 per bag of 209 lbs. net.	0 1 7 per lb.
13-A.	Maize Sojee	26 6 0 per bag of 148 lbs. net.	0 3 0 per lb.
14-(b)	Maize Flour	17 2 0 per bag of 148 lbs. net.	0 2 0 per lb.

This amendment shall come into force with immediate effect.

No. S. D. 7572—C. 37-47-48, dated Bangalore, 6th April 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore, are hereby pleased to direct that the following amendment shall be made in the Civil and Military Station Rationing Order, 1946 :—

AMENDMENT.

In the schedule annexed to the said order, the word "Maize" shall be deleted.

This amendment shall come into force with immediate effect.

A. S. KHALEEL,
Food & Civil Supplies Secy.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 7555—C. 100-47-50, dated Bangalore, the 8th April 1948.

In exercise of the powers conferred by sub-sections (1) and 2 (d) of section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Retroceded Area and continued in force by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja are pleased to direct that the restrictions imposed in Government Notification No. S. D. 2499—C. 23-47-59, dated 1st October 1947 on the import into the Civil Station of certain varieties of pulses, beans and other grains containing poisonous ingredients be cancelled.

No. S. D. 7581—C. 100-47-51, dated Bangalore, the 6—8th April 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that "The Flour (use in soap making) (Prohibition) Order, 1946" issued under Government Notification No. S. D. 191—C. 229-45-6, dated 8th July

1946 be cancelled. Provided that this cancellation shall not affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty, forfeiture or punishment, acquired, accrued or incurred under the said order and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the order had not been cancelled.

Government further direct that with reference to Rule 119 of the said rules, notice of this Notification, shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 7592—C. 100-47-52, dated Bangalore, the 6—8th April 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharajà are pleased to direct that the maximum wholesale and retail sale prices of 'Puri' fixed in Government Notification No. S. D. 471—C. 221-44-4, dated 23rd July 1945 be withdrawn.

This shall not affect any investigation, legal proceeding or remedy in respect of cases coming so far under the Notification referred to above.

Government further direct that with reference to Rule 119 of the said rules, notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 7603—C. 100-47-53. dated Bangalore, the 6—8th April 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the maximum wholesale and retail selling rates for wheat bran fixed in Government Notification No. S. D.

5764—C. 151-44-4, dated 19th March 1945, be withdrawn and to direct that with reference to Rule 119 of the said rules, notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

No. S. D. 7615—C. 100-47-54, dated Bangalore, the 6—8th April 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the restrictions on the import of certain varieties of pulses, beans and other grains containing poisonous ingredients imposed in Government Notification No. S. D. 938—C. 23-47-15, dated 29th July 1947, be withdrawn.

This shall not affect any investigation, legal proceeding or remedy in respect of cases coming so far under the notification referred to above.

Government further direct that with reference to Rule 119 of the said rules, notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL,
Secy., Food and Civil Supplies.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 8086—C. 100-47-62, dated Bangalore, 21st April 1948.

Erratum.

In Government Notification No. S. D. 7603—C. 100 47-53, dated 6th April 1948, the word "cancelled" shall be substituted for the word "withdrawn" and the following clause inserted after the word "cancelled."

"Provided that this cancellation shall not affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty, forfeiture or punishment acquired, accrued or incurred under the said notification and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the notification has not been cancelled."

No. S. D. 8099—C. 100-47-61, dated Bangalore, 21st April 1948.

Erratum.

In the marginally noted Government Notifications, the word "cancelled" shall be substituted for the word "withdrawn" in para one, and the following clause substituted for para two :—

(1) No. S. D. 7592—C. 100-47-52, dated 6th April 1948.
(2) No. S. D. 7615 - C. 100-47-54, dated 6th April 1948.

"Provided that this cancellation shall not affect any investigation, legal proceeding or remedy in respect of any right, privilege, obligation, liability, penalty, forfeiture or punishment acquired, accrued or incurred under the said notification and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the notification has not been cancelled."

No. S. D. 8112—C. 100-47-63, dated Bangalore, the 21st April 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to rescind the Mysore Fowls and Eggs (Movement) Control Order, 1945, promulgated under Notification No. S. D. 6195—C. 104-45-5, dated the 28th February 1946, and to direct that this repeal does not affect any investigation, legal proceedings, or action taken, penalty, forfeiture or punishment imposed under the Mysore Fowls and Eggs (Movement) Control Order, 194 , or Rule 81 (4) of the Defence of India Rules prior to the promulgation of this Notification and any such investigation, legal proceedings, etc., may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Order had not been passed.

2. Government further direct with reference to Rule 119 of the said rules that notice of this Notification shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

A. S. KHALEEL,
Food and Civil Supplies Secy.,

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 3971—R. T. 25-47-5, dated Bangalore, the 29th April 1948.

In exercise of the powers conferred by Section 55 (2) (*b*) of the Mysore Motor Vehicles and Road Traffic Act, 1944 (No. XXVII of 1944), the Government of His Highness the Maharaja are pleased to make the following further amendments to the Mysore Motor Vehicles and Road Traffic Rules, 1945, the draft amendments having already been published in Part IV of the *Mysore Gazette* dated the 8th April 1948.

AMENDMENTS.

In Rules 346 (*b*) and 383 (*b*) of the Mysore Motor Vehicles and Road Traffic Rules, 1945, for the words and figures "the first day of January 1948", the words and figures "the first day of January 1951" shall be substituted.

MOHAMED ISMAIL SHERIFF, *Gen. Secy.*

No. C. A. 1177—47-48, dated Bangalore, the 29th April 1948.

The following Standing Orders made by the President, Constituent Assembly of Mysore, are published for general information :—

Standing Orders of the Constituent Assembly of Mysore.

In exercise of the powers conferred by the Constituent Assembly of Mysore Rules and all other powers enabling

him in this behalf, the President of the Assembly hereby makes the following Standing Orders :—

Short title.

1. These Standing Orders may be called the Constituent Assembly of Mysore Standing Orders.

Definitions.

2. (1) In these Standing Orders, unless the context otherwise requires—

(*i*) "Rules" means the Constituent Assembly of Mysore Rules.

(*ii*) "Committee" includes the Steering Committee, the Committee on Fundamental Rights, the Minorities Committee, the Staff and Finance Committee, the House Committee and such other Committees or Sub-Committees as may be set up by the Assembly or by any Committee.

(2) All words and expressions used herein and defined in the Rules and not hereinbefore defined shall be deemed to have the meanings respectively attributed to them in those Rules.

Chairman.

3. Save as otherwise provided in the Rules, each Committee shall elect its own Chairman and in his absence may choose a member of the Committee to preside and exercise the powers of the Chairman.

Committees.

4. If any member of the Assembly is a member of a Committee and ceases to be a member of the Assembly, he will also cease to be a member of the Committee.

Vacancies.

5. The Chairman may report to the President the existence or occurrence of a vacancy in the membership of any Committee and the President will thereupon take steps to fill the vacancy.

Method of co-opting members to committees.

6. For the purpose of co-opting non-members of the Assembly as members of the Committee, any member of the Committee may propose and another member second the name of such non-member to be co-opted and where more persons are so nominated than the number of non-members who can be co-opted, the Committee shall proceed to elect by ballot such non-members to be members of the Committee. The persons who obtain at the ballot a larger number of votes shall be declared elected. If two or more candidates obtain an equal number of votes and only one of them has to be elected, the determination, as between the candidates whose votes are equal, of the

candidate who is to be selected, shall be by the drawing of lots.

7. The names of the non-members of the Assembly who have been co-opted as members of a Committee shall be sent to the President as soon as the co-option is effected under Standing Order 6 and the names shall also be published in the Official Gazette. **Publication of names of co-opted members of Committees in Official Gazette.**

8. Save as otherwise provided in the Rules or in the resolution setting up the Committee, any vacancy in the seat of a member of any Committee, shall be filled by election or co-option according as the said member was originally elected or co-opted. **Method of filling vacancies.**

9. Meetings of a committee shall be convened by the Secretary of the Committee at such times and at such places as the Chairman of the Committee may direct. **Meetings of Committees.**

10. When the Assembly is not in session, at least three days' notice shall be given before a meeting of a Committee can be convened: **Notice of meetings.**

Provided that in case of emergency, this period may be shortened at the discretion of the Chairman of the Committee.

11. (1) In the absence of any provision to the contrary, the presence of at least one-third of the number of the members shall be necessary to constitute a meeting of any Committee: **Quorum.**

Provided that there must be at least two members, exclusive of the Chairman, at any meeting of the Committee.

(2) If at the time fixed for any meeting of a Committee, or, if at any time during any such meeting, the quorum fixed by the preceding sub-rule is not present, the Chairman of the Committee shall either suspend the meeting until a quorum is present or adjourn the meeting to some future time.

(3) Where the meeting has been adjourned in pursuance of the preceding sub-rule on two successive occasions, the Chairman shall report the fact to the Assembly.

12. (1) The agenda, together with explanatory memoranda, if any, shall be issued by the Secretary of the Committee so as to reach the members not less than two clear days before the date fixed for the meeting. **Agenda**

(2) Except as otherwise permitted by the Chairman, no matter not included in the agenda shall be considered at the meeting of any Committee.

Expert Evidence.

13. A Committee may hear expert evidence and representatives of special interests concerned with the matters dealt with by the Committee.

Report.

14. (1) The report, if any, of a Committee shall be signed by the members of the Committee or by a majority of them.

(2) The report may be preliminary or final.

(3) If any member of the Committee desires to record a minute of dissent on any point, he shall sign the report stating that he does so subject to his minute of dissent, and shall hand in the minute within such time as may be fixed by the Committee in this behalf.

K. GURU DUTT,
Secretary,
Constituent Assembly of Mysore.

No. S. D. 9012—C. O. 21-47-8, dated Bangalore, 4th May 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the following amendment shall be made in the Mysore Manure Dealers Licensing Order, 1947 and to direct with reference to sub-rule (1) of Rule 119 of said rules, that notice of this amendment shall be given by publication of the same in the Official Gazette and by issue of a Press Note:—

In the said order, for sub-clause (*c*) of clause 2, the following shall be substituted:—

"Controller" means the Director of Agriculture in Mysore and includes any officer authorised by the Controller to exercise all or any of the powers of the Controller under this order.

A. S. KHALEEL,
Food & Civil Supplies Secy.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. R. 4291—L. W. 23-44-6, dated Bangalore, the 6th May 1948.

In exercise of the powers conferred by section 31 of the Workmen's Compensation Act, 1928, XIV of 1928, the Government of His Highness the Maharaja are pleased to make the following amendment to the Mysore Silicosis Rules, 1940, the draft of the same having been previously published in Notification No. S. R. 4652—L.W. 23-44-5, dated 14th March 1946 published in the *Mysore Gazette*, dated 21st March 1946 as required by section 32 of the said Act.

In the said Rules, for Rule 11, the following rule shall be substituted:—

"11 (*a*) Whenever the Commissioner considers it necessary to be satisfied by post-mortem examination whether a deceased workman had silicosis, he may, after obtaining the consent of the legal representatives of the deceased to the performance of such post-mortem examination request any Government Medical Officer to conduct such an examination. The legal representatives of a deceased workman suspected to have died of silicosis may also apply to a Government Medical Officer to conduct a post-mortem examination. In either case the Government Medical Officer shall, without avoidable delay, conduct the post-mortem examination in accordance with the provisions of Sub-Rule (*b*) and forward his report to the Commissioner in Form 'E'.

(*b*) In every case where a post-mortem examination is performed by a Government Medical Officer at the request of either the Commissioner or the legal representative of a deceased workman, the Medical Examiner nominated by the last employer in whose employment the deceased could have contracted silicosis who shall be notified by the Government Medical Officer for the purpose, shall be given an opportunity by the Government Medical Officer conducting the post-mortem examination to be present at such post-mortem examination either to agree or disagree to the findings of the Government Medical Officer. In the event of disagreement, a copy of the report on the case with the pieces of the lungs shall be forwarded by the Government Medical Officer for opinion to the Medical Bureau who will, in turn, forward their report to the Commissioner. Provided that in such cases where it is not possible for a Medical Officer nominated by the employer to be present at the post-mortem examination, it shall be in order for the Government Medical Officer to perform the post-mortem examination exproprio-mortem and his report thereon shall be final."

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. L. 16783—Ml. 40-47-190, dated Bangalore, the 11th May 1948.

In exercise of the powers conferred by clause (c) of Sub-section (2) of Section 23 of the Mysore Town Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to make the following further amendments to the Rules regulating the election of Presidents of Town Municipal Councils issued in Notification No. L. 3055—Ml. 207-27-1, dated 26th November 1927, namely :—

(1) In Rule 1 of the said Rules before the existing proviso, the following proviso shall be inserted :—

"Provided that the Government may, in any case for reasons to be set forth in its order, extend the said period by such further period not exceeding two months", and

(2) In the existing proviso to Rule 1, after the word "provided" the word "further" shall be inserted, and the words "of one or two months as the case may be" shall be omitted.

No. L. 16786—Ml. 40-47-192, dated Bangalore, the 11th May 1948.

In exercise of the powers conferred by Sub-section (4) of Section 23 of the Mysore Town Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to make the following further amendments to the rules regulating the election of Vice-Presidents of Town Municipal Councils issued in Notification No. L. 8264—Ml. 25-34-1, dated 22nd –29th May 1935 namely :—

(1) In rule 1 of the said Rules before the existing proviso, the following proviso, shall be inserted :—

"Provided that the Government may, in any case, for reasons to be set forth in its order, extend the said period by such further period not exceeding two months" and

(2) In the existing proviso to Rule 1, after the word "provided" word "further" shall be inserted and the words "of one or two months as the case may be" shall be omitted.

No. L. 16785—Ml. 40-47-191, dated Bangalore 11th May 1948.

In exercise of the powers conferred by Clause (c) of Sub-section (2) of Section 10 and Clause (4) of Sub-section (2) of Section 106 of the Mysore Minor Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to make the following further amendments to the Rules regulating the election of Presidents of Minor Municipal Councils issued in Notification No. L. 3055—Ml. 207-27-1, dated 26th November 1947 *viz.*—

(1) In rule 1 of the said Rules before the existing proviso, the following proviso shall be inserted :—

"Provided that the Government may, in any case for reasons to be set forth in its order, extend the said period by such further period not exceeding two months," and

(2) In the existing proviso to rule 1, after the word "provided," the word "further" shall be inserted and the words "of one or two months as the case may be" shall be omitted.

No. L. 16787—Ml. 40-47-193, dated Bangalore, the 11th May 1948.

In exercise of the powers conferred by Sub-section (4) of Section (10) and Cl. (*c*) of Sub-section (2) of Section 106 of the Mysore Minor Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to make the following further amendments to the Rules regulating the election of Vice-Presidents of Minor Municipal Councils, issued in Notification No. L. 8265—Ml. 245-34-2, dated 22nd—29th May 1935, namely :—

(1) In Rule 1 of the said Rules, before the existing proviso, the following proviso shall be inserted :—

"Provided that the Government may, in any case, for reasons to be set forth in its order, extend the said period by such further period not exceeding two months", and

(2) In the existing proviso to Rule 1, after the word "provided" the word "further" shall be inserted, and the words "of one or two months as the case may be" shall be omitted.

SYED ABDUL ALEEM, *Rev. Secy.*

No. S. D. 9231—Co. 45-47-2, dated Bangalore, the 10th May 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja are pleased to rescind the Mysore Cotton Yarn (Control of Distribution) Order, 1943, promulgated under Notification No. D. 567—I. & C. 28-43-2, dated the 26th July 1943, with immediate effect and to direct with reference to Rule 119 of the said rules that notice of the abrogation be given by publication in the Gazette and issue of a Press Note.

No. S. D. 9270—R. 22-47, dated Bangalore, 10th May 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, Government are pleased to direct—

(1) that all the clauses of the Mysore Food (Restrictions of Service of Meals by Catering Establishments and

Others) Order of 1946, issued under Notification No. S. D. 6887—R. 18-45-61, dated 23th March 1946 and further amendments issued from time to time shall be repealed except clauses 1, 2 (1), 4, 15 and 16;

(2) that this repeal of the said clauses from the provisions of the Order shall not—

(*a*) affect any right, privilege, obligation, or liabiliaty acquired, accrued or incurred thereunder prior to this repeal;

(*b*) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against any of the provisions of the Mysore Food (Restrictions of Service of Meals by Catering Establishments and Others) Order of 1946, prior to this repeal; and

(*c*) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment imposed under the Mysore Food (Restrictions of Service of Meals by Catering Establishments and Others) Order of 1946 prior to this repeal of Rule 81(*a*) of the Defence of India Rules, or any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Order had not been passed.

Government further direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the same shall be given by the publication of the said notification in the official Gazette and by the issue of a Press Note.

This shall come into force from the date of publication of this Notification.

The Order as revised will read as follows:—

1. (1) This Order may be called the "Mysore Food Restrictions of Service of Meals by Catering Establishments and Others) Order of 1946".

(2) It shall extend to the whole of Mysore and shall come into force on the 30th March 1946.

2. In this Order, unless there is anything repugnant in the subject or context:—

(1) "Catering Establishment" includes a caterer and the person in charge of a hotel, restaurant, eating house, cafe, tea shop, coffee stall, confectionery, free

feeding centre and any other place of refreshment opened to the public, club, boarding house, railway refreshment room or a restaurant car and other similar establishment.

4. Except as hereinafter provided, the opening or licensing of new Catering Establishments or Bakeries is hereby prohibited.

15. Notwithstanding anything contained in the clauses of the Order promulgated above, the Director of Food Supplies, in accordance with such general and special orders which Government may issue, from time to time, shall have power to grant exemption in exceptional cases from the operation of these rules.

16. The Government of Mysore may, by Notification in the official Gazette, suspend the operation of this Order for such period and subject to such conditions as it may deem fit, or rescind it altogether.

A. S. KHALEEL,
Food and Civil Supplies Secy.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. S. R. 4515, dated Bangalore, 17th May 1948.

The draft of the following further amendments to the Mysore Labour Rules, 1942, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by Section 40 of the Mysore Labour Act, 1942, are hereby published for the information of all persons likely to be affected thereby as required by sub-section (4) of Section 40 of the said Act.

Notice is hereby given that objections or suggestions, if any, may be forwarded to the Secretary to Government, General Department, through the Labour Commissioner in Mysore for consideration within fifteen days from the date of publication of this notification in the official Gazette, namely,—

Draft Amendment.

For Rule 5 of the said Rules, the following proviso shall be added :—

"Provided that Government may in their discretion permit any dismissed employee to be an honorary member."

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 4365—R.T. 25-17-6, dated 20th May 1948.

In exercise of the powers conferred by Section 77-S read with Section 100 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944), the Government of His Highness the Maharaja are pleased to make the following amendment to the Mysore Motor Vehicles and Road Traffic Rules, 1945, the draft of the same having been already published in Part IV of the *Mysore Gazette* dated 8th April 1948, namely :—

AMENDMENT.

In Form No. 48 of Appendix I to the Mysore Motor Vehicles and Road Traffic Rules, 1945, after item 7, the following item shall be added :—

"8. (*a*) Name of the Company where a cover note in Form 'B' or a Certificate of Insurance in Form 'A' is taken.

(*b*) Number of the cover note or the Certificate of Insurance.

(*c*) Period of validity and date of expiry of the insurance cover as noted in Form 'A' or 'B'."

The following addition shall be made to the note to Form No. 48 :—

"Item No. 8.— Please mention here the particulars mentioned in the Certificate of Insurance in Form 'A' or the cover note in Form 'B' issued in accordance with the provisions of the Mysore Motor Vehicles and Road Traffic (Third Party Insurance) Rules, 1946".

MOHAMED ISMAIL SHERIFF, *Gen. Secy.*

No. S. D. 9621—L. R. 22-47-20, dated 20th May 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that with effect from the date of this notification all the clauses of the Bangalore Restriction of Food Consumption Order, 1946, published in Notification No. F. 27 (1)-46/W, dated the 25th March 1946 shall be repealed except clauses 1, 2 (a) & (b), 3A & 11.

The Order as revised will read as under :—

1. (1) This order may be called the Bangalore Restriction of Food Consumption Order, 1946.

(2) It extends to the whole of the Civil and Military Station of Bangalore.

(3) It shall come into force on the 30th March 1946.

2. In this order unless there is anything repugnant in the subject or context :—

(*a*) "Catering Establishment" includes the proprietor or person in charge of a hotel, boarding house, restaurant, eating house, cafe, tea-shop, club, railway refreshment room and any place which provides cooked or otherwise prepared food to the public.

(*b*) "Controller" means the Collector & Controller of Civil Supplies, Civil Station, Bangalore.

3A (1) Except as hereinafter provided, the opening or licensing of new catering establishments or bakeries is hereby prohibited.

Notwithstanding anything contained in this order, the Controller may, by order, in writing, grant exemption from the operation of any of the provisions of this order.

A. S. KHALEEL,
Food and Civil Supplies Secy.

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PART IV.

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 4381—R. T. 38-47-2, dated Bangalore, 25th May 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act, 1946, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Motor Spirit Rationing Order, 1941, namely :—

In the second schedule annexed to the said order, for the entry in the second column against item 5 the following shall be substituted namely : —

Where the Horse Power (as entered in the Certificate of Registration in the case of a motor vehicle or as stated in the Manufacturer's specification in the case of a motor boat).		Number of Units to be allotted for a quarter if application is made.		
Exceeds	But does not exceed	In or prior to the first month of the quarter	In the 2nd month of the quarter	In the 3rd month of the quarter
...	3 H.P.	2	1½	1
3 H.P.	4 H.P.	3	2	1
4 H.P.	7 H.P.	5	3½	2
7 H.P.	9 H.P.	6	4	2
9 H.P.	12 H.P.	8	5½	3
12 H.P.	15 H.P.	9	6	3
15 H.P.	19 H.P.	10	7	3½
19 H.P.	...	12	8	4

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. S. D. 9832—C. 138-47-23, dated Bangalore, the 28th May 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 and in partial modification of Notifications (i) S. D. 6108—C. 37-47-26, dated 14th February 1948, (ii) S. D. 6828—C. 37-47-40, dated 12—13th March 1948, (iii) S. D. 7530—C. 100-47-46, dated 5th April 1948, the Government of His Highness the Maharaja are hereby pleased to make the following Order, namely :—

1. (1) This Order may be called "The Foodgrains Export Control Order, 1948."

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Order, unless there is anything repugnant in the subject or context :—

(*a*) "export" means to take out of Mysore to any place outside Mysore;

(*b*) "foodgrain" means such one or more of the commodities specified in the schedule to this Order and includes any of their products.

(*c*) "Director of Food Supplies" includes the Additional Director of Food Supplies and any officer or person authorised by the Director of Food Supplies to exercise all or any of the powers conferred on the Director of Food Supplies by this Order;

3. (1) No person shall export or attempt to export by road, rail, river, or air or any other manner, any foodgrain except in accordance with a permit issued in that behalf by the Director of Food Supplies.

(2) If it appears to the Director of Food Supplies that a permit issued under this Order is not likely to be utilised or that there are sufficient reasons requiring its cancellation, he may cancel the permit and on such cancellation, the holder of the permit shall forthwith return it to the Director of Food Supplies.

4. The Director of Food Supplies may, require any person who intends to export any foodgrain to export it by such route whether by rail or road as may be specified by him, whereupon such person shall not export such foodgrain by any other route.

5. The Director of Food Supplies may, if he has reason to believe that any person has contravened, is contravening or is likely to contravene any of the provisions of this Order :—

(*a*) require any person to give any information or produce any document, in his possession with respect to any business carried on by that, or any other person;

(*b*) inspect or cause to be inspected any vehicle or vessel in which he has reason to believe that any foodgrain is being carried in contravention of this Order;

(*c*) seize or cause to be seized any foodgrain in respect of which he has reason to believe that a contravention of this order has been committed including any animal, vehicle or vessel which he has reason to believe has been used for the said contravention.

6. No person shall refuse to give any information or produce any document lawfully demanded from him under clause 5.

7. A Court trying a contravention of this Order shall order that any stocks of foodgrains, together with the packages and coverings thereof and any animal, or vehicle, or vessel or any conveyance used for the contravention in respect of which the Court is satisfied that the order has been contravened shall be forfeited to Government, unless for reasons to be recorded in writing, the Court is of opinion that the direction should not be made in respect of the whole or, as the case may be, a part of the property.

Government further direct with reference to sub-rule (1) of Rule 119 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, that notice of this Order shall be given by publication in the Official Gazette.

SCHEDUDE.

ARTICLES OF FOODRGAINS.

1	Paddy	6	Haraka
2	Rice	7	Navane
3	Ragi	8	Save
4	Jola	9	Sajje
5	Wheat		

No. S. D. 9938—C. 100-47-68, dated Bangalore, 1st June 1948.

Whereas in the opinion of the Government, it is necessary for securing and maintaining food supplies and preventing the hoarding and sale at high prices of foodgrains and their products, to make provision in the manner hereinafter following :—

Now, therefore, in exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, XX of 1947, the Government of His Highness the Maharaja of Mysore are pleased to make the following Order and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the Order shall be given by the publication of the said Order in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

1. This Order may be called the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948.

(*a*) It extends to the whole of Mysore.

(*b*) It shall come into force at once.

2. *Definitions.*—In this Order unless there is anything repugnant in the subject or context :—

(*a*) 'Amildar' includes a Deputy Amildar.

(*b*) 'Dependant' means the wife, child, parent and other relation of a holder or of any other person who resides with him and partakes of food in this house permanently and includes domestic servants who reside with the holder and partake of food in his house permanently.

(*c*) 'Foodgrains' means paddy, rice, ragi, jola, wheat and their derivatives.

(*d*) 'Holder' includes a tenant, lessee and a person having such an interest in land on which food crops are grown as will entitle him to a share in the produce of such land and includes also persons or institutions having such interest.

(*e*) 'Taluk' means and includes a local area, recognised by Government as a Taluk or Sub-taluk.

(*f*) 'Normal quantity' means in relation to—

(i) a person other than a holder, residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person during a period of three months at

the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such *establishment.*

(ii) a person who is a holder residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest* at the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such establishment;

(iii) a person who is a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the next harvest at the rate of sixteen ounces for every person of and above eight years of age and eight ounces for every person under eight years of age who are dependants of such person or who reside in such establishment.

(iv) a person other than a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person during a period of three months at the rate of 12 ozs. for every person of and about eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such establishment.

(*g*) "Establishments" means catering establishments, institutions, residential establishments, mills, and animal establishments, as defined in sub-clauses (i) to (vi):—

(i) "Catering establishments" includes hotels, restaurants, eating houses, cafes, tea-shops, coffee stalls, free feeding centres and every other place of refreshment open to the public, clubs, canteen and other similar establishments;

(ii) "Institutions" includes hospitals, sanatoria, convalescent homes, nursing homes, orphanages, work-houses, infirmaries, asylums, boarding schools (providing meals for day boarders) and other similar establishments;

(iii) "Residentail establishments" shall not include private households but shall include boarding houses, apartment houses, residential hotels, hostels, nurses' homes, boarding schools (without any day boarders) and other similar establishments;

(iv) "Manufacturing establishments" includes bakeries, confectioneries and other similar establishments;

(v) "Mills" includes floor mills, provender mills and other similar establishments;

(iv) "Animal establishments" includes stables for horses or cattle, poultry farms, zoos, manegeries, veterinary hospitals, pinjrapoles and other similar establishments.

3. If it appears necessary for maintaining supplies of foodgrains essential to the life of the community any officer of the Revenue or Food Supplies Department not below the rank of a Deputy Amildar or Food Assistant, may, *by an order in writing*, require any person, holding stocks of foodgrains to sell the whole or a specified part of the stocks at such prices and to such persons or class of persons or in such circumstances as may be specified in the order made by him.

4. If the stocks of foodgrains specified under clause 3 are not sold in accordance with the said order, then, without prejudice to any punishment to which the person concerned may be liable, the Officer issuing the said order may seize such stocks and deliver them to the person or class of persons to whom they should have been sold under the said order and direct such person or class of persons to pay the person from whom the stocks were seized the value thereof at the price specified in the said order, deducting the costs of seizure.

5. Any Revenue or Food Officer not below the rank of a Revenue Inspector or a Special Revenue Inspector or any Police Officer not below the rank of a Sub-Inspector may on reasonable suspicion that stocks are held up

within his jurisdiction, inspect at all reasonable times stocks of foodgrains and for that purpose enter any premises or stop any vehicle or vehicles and search the same and seize the stocks of foodgrains in respect of which he has reason to believe that an order issued under clause 3 has been contravened, provided that in exercising this power to enter, due regard shall be paid by such person to the social and religious customs of the occupants of the premises: provided further, if any such premises be found locked up and unoccupied or unattended by or on behalf of the owner or occupier, the same may, in the presence of two independent witnesses, be broken open and entered upon for any or all of the above purposes.

6. No order under clause 3 shall be issued to and no action under clause 5 shall be taken against any holder who holds stocks of foodgrains not exceeding the normal quantity.

Provided that if there are reasonable grounds to believe that a holder holds stocks in excess of the normal quantity, an order may be issued to such holder under clause 3 requiring him to sell such excess stocks and thereupon the provisions of clause 4 and clause 5 shall apply in respect of the stocks of foodgrains held by such holder.

7. The Amildar may require any holder or any other person to furnish a declaration of the stocks of foodgrains held by him in such form and containing such particulars and within such time as the Amildar may specify, and such holder or other person shall be bound to comply with such requirement.

8. On an order passed by the Amildar or Deputy Amildar under clauses mentioned above, an appeal shall lie to the Sub-Division Officer and second appeal to the Deputy Commissioner and his decision shall be final. An appeal or a second appeal, as the case may be, shall be filed within 15 days from the date of the order appealed against.

9. If any person contravenes the provisions of this Order, then without prejudice to any punishment to which he may be liable, any Court trying the offence shall order that any stocks of foodgrains together with the packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed shall be forfeited to the Government.

A. S. KHALEEL, *Food and Civil Supplies Secy.*

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EXTRAORDINARY

BANGALORE, WEDNESDAY, JUNE 9, 1948

NOTIFICATION.

No. R. L. 2991—R. A. 69-47-1, dated Bangalore, 8th June 1948.

In exercise of the powers conferred by sub-order (2) of Standing Order 3 of the Mysore Representative Assembly Standing Orders, the Government of His Highness the Maharaja are pleased to extend the duration of the Budget Session of the Representative Assembly, 1948, up to and inclusive of Friday the 11th June 1948.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

Notification No. A.F. 5458—Ft. 49-47-5, dated 2nd June 1948.

The Movement of Timber (Control) Order, 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to make the following Order and to direct with reference to Rule 119 of the said rules that notice of the said Order be given by publication in the official Gazette and the issue of a Press Note summarising and explaining its provisions.

Short title, extent and commencement.

1. (1) This Order may be called the "Movement of Timber (Control) Order, 1948."

(2) It extends to the areas mentioned in the schedule appended to this Order.

(3) It shall come into force from 1st July 1948.

Definitions.

2. Unless there is anything repugnant in the subject or context, expressions used in this Order and defined in the Mysore Forest Act, 1900, shall bear the meanings assigned to them in the said Act, provided, however, that the term "timber" will include sawn timber also.

Prohibition of movement of timber.

3. No person shall, except with the written permission of the District Forest Officer concerned transport export, import or therwise move any timber within any of the areas to which this order applies or to any place outside such area.

Provided that this clause shall not apply to fuel intended for domestic consumption where it does not exceed one ton ;

Provided further that this clause shall not also apply to timber not exceeding ten c.ft. meant for *bona fide* domestic and agricultural purposes.

Declaration of stocks.

4. Every person who is in possession of a quantity of timber in excess of 10 c.ft. at the commencement of this Order shall, within ten days therefrom, furnish to the District Forest Officer concerned the particulars required of the stock possessed by him.

Person coming into possession to give declaration.

5. Any person who comes into possession of any timber hereafter mentioned (teak, rosewood, honne, nandi, hebbahalasu) shall, within twenty-four hours of coming into such possession, furnish to the District Officer concerned, the particulars required of the stock of which and the manner in which he has come into such possession.

Prohibition of saw-pits.

6. No person shall establish or permit the establishment of any saw-pit or saw-mill or any other contrivance for sawing or cutting up timber without the written permission of the District Forest Officer concerned ;

Provided that where any saw-pit or saw-mill or any other contrivance for sawing or cutting up timber has been in existence at the commencement of this Order, the owner or person in charge of such pit or mill or contrivance, as the case may be, shall, within ten days of the commencement of this Order, furnish the particulars required of the pit mill or contrivance including the period for which it has been in existence and such other particulars as the District Forest Officer may require.

Power to close existing saw-pits.

7. The District Forest Officer concerned may, if in his opinion, it is necessary to do so by order in writing, issue directions to the owner or is agent in charge of a saw pit or saw mill or to both of them, as regards the working hours, the form of accounts to be maintained and may also direct by order in writing the closure of any saw-pit or saw-mill within such time as may be prescribed by him and the owner or his agent shall take action accordingly.

8. (i) The District Forest Officer concerned or any person authorised by him in this behalf may enter or search any place, premises or vehicle (*a*) for the purpose of exercising any of the powers conferred by this order or (*b*) where he has reason to believe that any offence against this Order has been, is being or is about to be committed and he may seize anything which he has reason to believe has been, is being or is about to be used for the commission of any offence against this Order. **Power of entry, search and seizure.**

(ii) Any person aggrieved by the entry into or search of any place, premises of vehicle or by the seizure of anything under the provisions of clause (i), may, within thirty days of such entry, search of seizure, appeal against the said entry, search of seizure, to the Chief Conservator of Forests in Mysore. The Chief Conservator of Forests in Mysore, after giving an opportunity to the appellant to represent his case and obtaining such other particulars as may be necessary, may either confirm, or pass such orders as he deems fit as regards the propriety of, or justification for, the action taken in the proceedings under appeal.

9. (i) The Chief Conservator of Forests may establish checking stations at the borders of the areas specified in the schedule at such places as may be notified by him in the official Gazette; **Power to establish checking stations.**

(ii) A Forest Officer authorised by the District Forest Officer may at such checking stations :—

(*a*) require any person importing, transporting or exporting any timber to give any information or produce any document in his possession with respect thereto;

(*b*) inspect any timber being imported, transported or exported or enter and search any vehicle if he has reason to believe that any timber is being imported, transported or exported by such vehicle; or

(*c*) seize any timber in respect of which he has reason to believe that a contravention of this Order has been committed;

(iii) No person shall refuse to give any information or produce any document lawfully demanded under sub-clause (ii).

Power to direct forfeiture.

10. A Court trying any contravention of this Order may direct that any property in respect of which it is satisfied that the order has been contravened shall be forfeited to Government.

11. Any information required to be furnished or any intimation required to be given or any permission required to be sought under these Rules shall be made in writing in duplicate, and the District Forest Officer or any subordinate officer authorised by him in this behalf shall sign and date the duplicate and return it to the person furnishing the information or giving the intimation or seeking the permission.

SCHEDULE.

The whole of Mysore, Shimoga and Chikmagalur Revenue Districts Belur and Saklespur Taluks of Hassan District and Kankanhalli Taluk of Bangalore District.

No. A. F. 5625—Agri. 227-47-2, dated 4th June 1948.

In exercise of the powers conferred by section 3 of the Mysore Cotton Control Act, 1942 (XII of 1942), the Government of His Highness the Maharaja are pleased to direct as follows :—

(*i*) No person shall use the name "M.A.V." in respect of any cotton except with the approval of Government.

Provided that this clause shall not apply to any cotton carrying a seal or covered by a certificate that it is M.A.V. cotton issued by an officer or authority appointed by Government in this behalf.

(*ii*) No person shall deal in any M.A.V. cotton unless such cotton is covered by a certificate granted by an officer or authority specified in clause (i) that such cotton is M.A.V. cotton.

(*iii*) No person shall mix M.A.V. cotton with any other variety of cotton and no person shall be in possession of any such mixed cotton.

(*iv*) No person shall take or transport outside the areas to which this notification applies or outside Mysore any cotton as M.A.V. cotton unless such cotton is covered by a certificate issued by an officer or authority specified in clause (i), and

(*v*) No person shall sow or cultivate cotton of any variety other than M.A.V. cotton and no cotton seeds other than those supplied by an officer or authority approved by Government in this behalf, shall be used for such sowing.

This notification shall apply to the districts of Chitaldrug, Mandya, Chikmagalur and Mysore and shall remain in force for a period of five years.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. SD. 10026—Co. 47-47-1, dated Bangalore, 5th June 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (XX of 1947) and in supersession of Government Order No. C. 308-12, dated 24th October 1944, the Government of His Highness the Maharaja are pleased to make the following order and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the orders shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions:—

1. (*a*) This Order may be called the Cement Rationing Order, 1948.

(*b*) It extends to the whole of Mysore except the retroceded area of the Civil Station, Bangalore.

(*c*) It shall come into force from the date of publication of the notification.

2. In this Order, unless there is anything repugnant in the subject or context,

(*a*) 'Chief Cement Rationing Authority' means the Additional Director of Industries and Commerce and includes any other Gazetted Officer to whom powers may be delegated by the Chief Cement Rationing Authority.

(*b*) 'Cement' means Chamundi Brand cement manufactured by the Mysore Iron and Steel works and includes all other brands of cement imported into Mysore.

(*c*) 'Manufacturer of cement' means any person or company which manufactures cement and whose manufacturing capacity amounts to 10 tons or more per month.

(*d*) 'Cement Marketing Co.,' of India means the Bangalore Branch of the Company and their stockists in the State.

(*e*) 'Dealer in Cement' means any person who stocks and sells cement in quantities not less than one cwt. at a time.

(*f*) 'Form' means a form set out in Appendix I.

3. (*a*) No manufacturer of cement or dealer in cement shall distribute, sell or otherwise disposes of cement except under an authorisation issued by the Chief Cement Rationing Authority.

(*b*) No person who has acquired cement as under sub clause (*a*) shall use or dispose of cement so acquired in any manner other than that specified in the authorisation.

(*c*) No person shall be in possession of any quantity of cement except such quantities as are obtained under an authorisation issued by the Chief Cement Rationing Authority.

4. Every manufacturer of cement and every dealer in cement shall submit to the Chief Rationing Authority on or before the 10th day of every month a true return in Form I of cement manufactured, received, distributed, sold or disposed of during the preceding calendar month :

Provided that the Cement Marketing Co., of India Ltd., may submit a consolidated return as above of all the stocks of cement handled by their stockists and in such a case it shall not be necessary for their stockists to send returns as required by this clause.

5. The Government may, from time to time, fix the price of cement by publication of the same in the Official Gazette and by the issue of a Press Note, and no person shall sell cement at a price different from the price so fixed :

Provided that until amended, the Government Notification No. C. 1889—Co. 31-47-1, dated the 5th January 1948, shall be deemed to have been issued under this clause.

6. The Government or the Chief Cement Rationing Authority may—

(*a*) direct a manufacturer of or dealer in cement or any other person carrying on any transaction connected with cement to furnish such information and to maintain such records or accounts as may be specified ;

(*b*) seize or authorise the seizure of any cement in respect of which there is reason to believe that a contravention of this order has been, is being or is about to be committed.

7. Application for supply of cement should be made to the Cement Rationing Authority in Mysore in Form II.

8. Notwithstanding the provisions of clauses 3 to 7, the Government or such authority as the Government may empower in this behalf may, if it is satisfied that special circumstances exist, by special order, authorise the doing of any act which would otherwise be in contravention of those provisions, and may attach to the authorisation such conditions or directions as it thinks fit.

9. Any court trying a contravention of this order may direct that any cement (including the receptacle or bag containing such cement) in respect of which the court is satisfied that this order has been contravened shall be forfeited to Government.

A. S. KHALEEL,
Food and Civil Supplies, Secy.

APPENDIX.

FORM I.

Name of the manufacturer or dealer .....

Full address .....

Particulars	Variety of Cement	Total quantity (tons)
1. Stock on hand at the end of the preceding month ...		
2. Quantity manufactured during the month		
3. Quantity received during the month (a) from		
4. Total of items 1 to 3 ...		
5. Quantity disposed of during the month ... ... (a) How disposed		
6. Balance of stock at the end of the month		

I/We declare that the above is a true account of cement manufactured, acquired and disposed of by me/us during the month ending.....

Place.....

Signature.

Date .....

FORM II.

Application for Cement for use by the public for essential property repairs, etc.

To

The Additional Director of Industries and Commerce
in Mysore, Bangalore.

From

.....

.....

.....

(Registered Stockists)

for.....Brand of cement

I require.....bags of cement for the following purpose(s)

.....

.....

.....

The work will be carried out at.....

It is estimated that the work will take.....days to complete by which time the cement will have been consumed.

My request for cement is supported by.....

.....

"An application is more likely to be favourably considered if it is supported by any one of the following :—The Collector, the District Magistrate or Sub-Division Officer, the Superintending Engineer or Executive Engineer of Public Works Department, the Chairman or Engineer of the Municipality or District Board, the Medical Officer of Health and duly registered Architects and Engineers."

I have signed the declaration overleaf and such declaration concerns this my application.

Place.....

Date..... *Signature of the Applicant.*

Office of the Chief Cement Rationing Authority, Bangalore City.

Declaration concerning the application of cement as shown on the reverse.

Stamp duty, if any, payable on this agreement shall be borne by Government.

No application will be considered unless the declaration given below is signed by the applicant.

1. I declare that no authorisation has already been issued (to me) for the cement required for the specific purpose, as defined above and for which I am now applying.

2. I declare that no other person has applied for the cement required for the specific purpose as defined above.

3. I declare that no application for the cement required for the specific purpose as defined above is being made by me, or other persons on my behalf, through any other channel.

4. I declare that if an authorisation is issued on the faith of my application, the full quantity of cement will be used for the works stated above and that it will not be used for any other work given or sold to any other party and any breach by me of this condition will amount to misrepresentation and obtaining cement by false pretences.

5. I agree that any authorised representatives of the Regional Hon. Cement Adviser/The Additional Director of Industries and Commerce (Cement) Bangalore City may inspect the work and my stocks obtained under this authorisation or previous authorisations (wherever to they may be) at any time on request and I shall also provide such information as to its use as may be asked for.

6. I agree that should it be found that any portion of the cement supplied to me has been resold or used for any other purpose than that stated by me or in the authorisation or is not required for the said purpose, all the cement in stock or with me may be confiscated.

Place.....

Date.....

Signature of the applicant.

Printed by the Superintendent at the Government Press, Bangalore.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. R. 5094—Ex. 86-47-5, dated 7th June 1948.

Under Sections 9 and 13-A of the Mysore Excise Act, V of 1901, as amended from time to time and under Section 5 of the Opium Act, as applied to Mysore and under Rule III (1) of the Opium Rules as amended by Notification No. Fl. 8381—Ex. 122-10-2, dated 17th June 1941, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are hereby pleased to prohibit the possession and transport of toddy, arrack, ganja, opium (raw) or prepared special liquors, foreign liquors, foeign or country beer, by any person in Bowringpet Taluk, Kolar District, except in the cases and subject to the conditions specified hereunder :—

2. (1) The Deputy Commissioner, Kolar District,

may grant licenses to possess any foreign liquor for personal consumption in the following cases :—

Community	Maximum quantity permitted to be possessed at a time.	Maximum quantity permitted to be possessed in a month	Conditions for grant of licenses
1. Non-domiciled Europeans of all ages.	4 Units	8 Units	Without production of medical certificates.
2. Domiciled Europeans, non-domiciled Indian Jews, non-domiciled Chinese and non-domiciled other Asiatics of all ages.	3 Units	6 Units	Do
3. Anglo-Indians, Parsees and Jews above 45 years of age.	2 Units	4 Units	On production of a medical certificate showing the age of the applicant and the particular ailment which necessitates him to take alcoholic drinks, from a Government Medical Officer not below the rank of Assistant Surgeon.
4. Indians above 55 years of age.	2 Units	4 Units	Do
5. Residents of areas in which possession of liquors is not prohibited who tour in the Bowringpet Taluk (of all communities and of all ages).	2 Units	Not restricted	Without production of medical certificate.

N. B.—(1) One Unit represents 1 Qt. bottle of whisky or other spirits including liquor or 3 Qt. bottles of wine or vermouth or 12 Qt. bottles of beer or cider.

(2) Such licenses are granted only to persons who are addicted to drink or who require liquor on medical grounds.

3. Residents of Bowringpet Taluk in which possession of liquor is prohibited who desire to obtain licenses should apply to the Deputy Commissioner, Kolar District. Each application should show the name of the applicant, his correct address and the community to which he belongs, the grounds on which the license is required and the number of quart or pint bottles of each kind of liquor required by the applicant. The licenses will be issued in Forms I and II appended to this notification and subject to the conditions specified therein.

4. (i) All license holders should obtain their liquor from places outside Bowringpet Taluk or from non-proprietory clubs licensed under this notification, of which they are members.

(ii) The Excise Commissioner in Mysore may grant licenses to non-proprietory clubs in Bowingpet Taluk (which are predominantly European) in Form III appended to this notification and subject to the conditions specified therein.

(1) The Secretaries of such clubs should apply to the Deputy Commissioner, Kolar District, who will forward these applications to the Excise Commissioner, stating the quantity to be possessed at any one time for supply to members under the license while granting the license, the Excise Commissioner fixes the quantity that can be possessed by the club at a time.

(2) These clubs are authorised to supply liquor only to such of their members as hold licenses for possession of liquor for personal consumption. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided, only liquor bottled and sealed may be removed from the premises.

(iii) The Deputy Commissioner, Kolar District, may grant licenses to persons to possess and use opium for personal consumption under the conditions specified below :—

(*a*) An applicant who desires to obtain licenses for possession and use of opium should apply to the Deputy Commissioner Kolar District furnishing the name, correct address, the age are community to which he belongs, the grounds on which the permit is required and the

maximum quantity of opium required for consumption in a month.

(*b*) Opium will not be issued to persons below 20 years of age.

(*c*) In support of the application for the grant of opium, a certificate from a medical officer not below the rank of an Assistant Surgeon certifying to the need for the issue of opium and the quantity that may be issued per month should be produced.

(*d*) The maximum quantity of opium that can be issued to each addict is fixed at 4 tolas per month.

(iv) The Deputy Commissioner, Kolar District, may also grant licenses and permits in Bowingpet Taluk for purposes specified below and under the conditions specified in the respective licenses :—

Description of license or permit	*Form No. in Annexure*
1. License for the sale of brandy and medicated wines and similar preparations by Chemists ...	IV
2. Licenses to a Medical Practitioner for the possession and use of brandy for medicinal purposes	V
3. License to Medical Officers in charge of Hospitals for the possession and use of brandy for medicinal purposes in Hospitals ...	VI
4. License for the manufacture of *bona fide* medicinal preparations containings ganja or Bhang ...	VII
5. License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Brandy ...	VIII
6. For the possession, use and issue of sacramental wine	IX

SYED ABDUL ALEEM,

Revenue Secretary.

FORM I.

License to possess for personal consumption bottled foreign liquor.

WHEREAS
has applied for a license authorising him/her to possess for personal consumption liquor and to that extent exempt him/her from the Government Notification No. dated June 1948.

And whereas the Deputy Commissioner, District, is satisfied that there is good reason for so exempting him/her and granting him/her a license and that he/she will not misuse such license.

Now, therefore, the Deputy Commissioner, District, hereby permits the said while residing in the area in which prohibition is in force to possess bottled foreign liquor for his/her personal consumption from to (inclusive) subject to the following conditions to be observed by him/her.

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below.* The license holder may, however, entertain, any other holder of a similar license with liquor.

2. The quantity that may be possessed under the license shall not exceed units at any time subject to a maximum of units in a month.

3. The liquor that may be possessed under this license shall be obtained from places situated outside the areas in which Government Notification No. dated is in force provided that such Club holds a license for supply of foreign liquor to its members and the license holder is a member of such Club. No liquor shall be obtained from places outside the prohibition areas except under an import permit granted by the Deputy Commissioner of the District or under a permit granted under the Mysore Excise Act, V of 1901. Such permits shall not be granted except on prepayment of fees prescribed from time to time by Government under the Mysore Excise Act.

4. Every consignment of liquor imported by the license-holder from any place within the Mysore State situated outside the area in which the Government Notification No. dated is in force shall be accompanied by an import permit granted by the Deputy Commissioner, District.

5. All bills of purchase of foreign liquor by the license-holder shall be preserved by him/her and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Police Inspector or Excise Inspector.

6. The license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning any reasons therefor.

7. The license-holder shall pay an annual fee that may be prescribed by Government.

Deputy Commissioner,
District.

Dated 194

NOTE.—*One unite represents one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of Beer or Cider.

FORM II

License granted on medical grounds to persons permanently residing in the Prohibition Areas to possess for personal consumption bottled Foreign Liquor.

Whereas
has applied on medical ground for a license authorising him to possess for personal consumption liquor and t that extent to exempt him from the operation of Government Notification No.
dated June 1948.

And whereas the Deputy Commissioner District, is satisfied that there is good reason for so exempting him and granting him a license and that he will not misuse such license;

Now, therefore, the Deputy Commissioner District hereby permits the said while residing in in which Government Notification No. dated is in force (hereinafter referred to as a Prohibition Area) to possess bottled foreign liquor for his personal consumption from (inclusive) subject to the following conditions to be observed by him :—

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below. The license holder should not entertain any other person with liquor.

2. The liquor that may be possessed under this license shall be obtained from places situated outside the Prohibition Areas.

3. The quantity that may be obtained under this license shall not exceed units in a month and the quantity that may be possessed under this license at a time shall not exceed units.

4. Every consignment of liquor imported by the license holder from any place within the Mysore State outside any Prohibition area shall be accompanied by an import pass granted by the Deputy Commissioner of the District. The import pass is necessary even if the license holder accompanies the consignment.

5. No liquor shall be obtained from places outside the State except under a separate permit granted by the Deputy Commissioner or under a permit granted under the Mysore Excise Act. Such permit shall not be granted except on prepayment of a fee prescribed by Government and notified from time to time.

6. When applying to the Deputy Commissioner for an import pass or permit to obtain liquor the license holder shall send this license along with his application and the Deputy Commissioner shall make a note on the reverse of this license, the date of issue of the import pass or permit and the quantity covered by such pass or permit.

7. All bills of purchase of foreign liquor by the license holder shall be preserved by him and shall be produced for inspection on demand by any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector.

8. This license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning reasons therefor.

9. The license holder shall pay an annual fee prescribed by Government from time to time.

10. The license holder shall also, if required, by the Deputy Commissioner at any time during the currency of the license, deposit with the Deputy Commissioner in cash or Government Promissory Notes, such sum as may be prescribed by the Deputy Commissioner as security for the due observance of the conditions of the license. In case of non-observance of the terms of the license, the security so taken shall be forfeited to Government.

Deputy Commissioner,
District.

Place
Dated 19 ,

NOTE.—One Unit means one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

FORM III.

License for the Possession of Foreign Liquor by Non-proprietary Club for supply to Members.

WHEREAS
in the District of has applied for a license to possess liquor and to issue it to such of its members as hold permits authorising them to consume the same, and to that extent to exempt it from the operation of Government Notification No.
dated

And whereas the Excise Commissioner in Mysore is satisfied that there is good reason for so exempting such Club and granting it a license and that the Club will not misuse such license;

Now, therefore, the Excise Commissioner in Mysore, hereby licenses the aforesaid to possess foreign liquor for supply to the members of the Club during the year ending , subject to the conditions to be observed by the Club.

1. The privilege extends to the possession of foreign liquor only subject to the limits prescribed below :—

Foreign liquor, if imported in wooden receptacles may be bottled by the licensee in the premises of the club;

2. Liquor shall be supplied only to the members of the Club who hold permits for the possession of such liquor. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided that only liquor bottled and sealed may be removed from the premises.

3. The quantity that may be possessed under the license shall not exceed at any time.

One Unit represents one quart bottle of whisky or other spirit including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

4. The Club shall obtain its requirements of foreign liquor from places outside the areas in which the Government Notification No. dated 194 is

in force and no liquor shall be obtained from places outside the Mysore State except under an import pass granted by the Deputy Commissioner, District or under a permit granted under the Mysore Excise Act. Such permits shall not be granted except on prepayment of a permit fee prescribed by Government, from time to time (in addition to the fee mentioned in condition 9).

5. Every consignment of liquor imported by the Club from any place within the Mysore State situated outside the area in which prohibition is in force, shall be accompanied by an import pass granted by the Deputy Commissioner.

6. All bills of purchase of foreign liquor shall be preserved by the Club and produced for inspection on the demand of any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector. An account shall be maintained showing receipts of liquor and issues to each license holder.

7. The Secretary or other person in charge of the management of the club shall be responsible for the due observance of the conditions of the license.

8. The license may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

9. The grant of the license is subject to the payment of a fee prescribed by Government and notified from time to time.

10. The Secretary or other persons in charge of the Management of the Club shall also submit to the Deputy Commissioner on or before the 5th Day of every month, a statement in the following form showing the quantity of liquor supplied in sealed bottles to members during the preceding month :—

(1) Name of Member

(2) Quantity and description of bottled liquor issued each time;

(3) Date of supply.

Place Deputy Commissioner,

Dated 194 . District.

FORM IV.

License for the Sale of Brandy and Medicated Wines and similar preparations by Chemists

I, the Deputy Commissioner of.....District, hereby license you to sell brandy imported from foreign countries and medicated wines and similar preparations containing any percentage of alcohol, in your shop at.....during the period ....subject to the following conditions and stipulations to be observed by you.

Explanation.—In this license, the expression 'medicated wines and similar preparations' shall be taken to include all ayurvedic preparations going by the name of 'arishtas' and 'asavas' and all other

preparations in the manufacture of which alcohol is produced by fermentation during the process of manufacture and not by the addition of a cultivated fermenting agent.

(1) The privilege extends only to the sale by chemists on the prescription of a qualified medical practitioner, of brandy either as an ingredient of a mixture or by itself in quantities of not more than two ounces at a time and of medicated wines and similar preparations containing any percentage of alcohol, in sealed bottles in quantities not exceeding one quart at a time.

(2) All brandy and medicated wines and similar preparations sold under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(3) Every consignment of brandy and medicated wines and similar preparations imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(4) True accounts of transactions shall be maintained from day to day in ink in Form A below and shall be preserved for one year after the period covered by the license and shall be produced when called for by the Deputy Commissioner or by any officer authorised by him.

(5) No privilege of supply or sale shall be sold, transferred or sub-rented. nor shall any agent be appointed for the management of any such privilege without the Deputy Commissioner's approval.

(6) An inspection note book in Form B below for Inspecting Officers to enter their remarks shall be maintained and be handed over on demand to any officer authorised by the Deputy Commissioner to receive it on a receipt being given therefore.

(7) Pecuniary dealings of any kind whatever by licensee with any officer of Government are absolutely prohibited.

(8) The licensee shall in addition to the payment of a fixed annual license fee prescribed by Government also pay a permit fee on each permit applied for by him.

(9) If required by the Deputy Commissioner before the issue of or at any time during the currency of the license, the licensee shall deposit with the Deputy Commissioner in cash or Government Promissory Notes such sum as the Deputy Commissioner may prescribe not exceeding the gallonage fees as estimated by the Deputy Commissioner for a period of three months as security for the due observance of the conditions of the license and the prompt payment of the gallonage fees.

(10) With the sanction of the Excise Commissioner in Mysore, the Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee fifteen days' notice of such revocation in which case a proportionate part of the fees will be refunded to the licensee.

ANNEXURE.

FORM A.

Account of brandy and medicated wines and similar preparations containing any percentage of alcohol received and sold by chemists under license No.....of.....

Date	Opening balance		Quantity received		Source of supply	Total quantity on..... received		Quantity sold unmixed (each transaction).			Quantity sold in mixture (each transaction)	Prescription.		Total sold each day			Closing balance		
	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Number and date of letter or advice of each bill	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations whose alcoholic content is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit.	Brandy	Number and date	Name of medical practitioner	Brandy	Medicated wines and similar preparations whose alcoholic content is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of pr. of spirit.	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit	Total medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

FORM B.

Inspection Note Book.

Shop/Depot No.	Year	Quantity sold/used	Licensee's Name
Village ...			
Taluk ...			
District ...			
Circle ...			
Station ...			

(one page ruled).

This book is the property of Government and must be returned to the Inspector of Police,.....Station, on the expiry of the period of license.

Monthly sale/consumption ... { Maximum stock..... Minimum stock.....

Month	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer
April ...				
May ...				
June ...				
July ...				
August ...				
September				
October ...	(Six	pages)	(four	pages)
November				
December				
January ...				
February ...				
March ...				

Remarks.—Punishments inflicted on the licensee (*a*) date of offence, (*b*) date of judgment or order, (*c*) by whom inflicted, (*d*) number of case or order, (*e*) nature of offence and (*f*) punishment.

FORM V.

License to a Medical Practitioner for the possession and use of Brandy for Medicinal purposes.

I, the Deputy Commissioner of.....District, hereby license you..... .....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you the said..... :—

(1) The privilege extends to the position of brandy for medicinal purposes only.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the Notification applies or from such other source as the Excise Commissioner in Mysore may approve subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the Notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy by the licensee shall be preserved by him and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Mysore Excise Act and the Notification No.....dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VI.

License to Medical Officers in charge of Hospitals for the possession and use of Brandy for medicinal purposes in Hospitals.

I, ...the Deputy Commissioner of ..... District, hereby license you.....to possess brandy imported from foreign countries, during the period..... .....subject to the following conditions and stipulations to be observed by you:—

(1) The privilege extends to the possession of brandy for *bona fide* medicinal purposes only; for use in the..... hospital.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner or by any other medical practitioner working in the hospital in his capacity as such and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy shall be preserved by the licensee and produced for inspection on the demand of an officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Notification No. ...., dated.. .....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VII.

License for the manufacture of *bonafide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of .....District, hereby license..... ..... (herein called the licensee) to manufacture medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at .... during the period..... subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the manufacture of only the following preparations (hereinafter called the said preparations) :—

Serial No.	*Name of preparation*	*Percentage of ganja or bhang.*
1		
2		
3 &c.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act and the Notification No..... dated..... and the rules, orders made or issued thereunder.

(3) Supplies of ganja or bhang for the manufacture of the said preparations shall, if obtained within the areas in which the Mysore Excise Act is in force, be obtained only from a Taluk Office and transported to the licensed premises only under a permit granted by the Amildar, Taluk Head Accountant or Deputy Amildar.

(4) Every consignment of ganja or bhang imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(5) No quantity exceeding .... ganja or bhang shall be possessed by the licensee at any one time.

(6) The licensee shall not keep ganja or bhang or manufacture any of the said preparations therefrom except in the licensed premises.

(7) The sale of ganja or bhang, or its use for other than the manufacture of the said preparations is absolutely prohibited.

(8) The licensee shall indicate on the bottle or other receptacle containing the preparations manufactured by him the proportion of ganja or bhang mixed in the preparations.

(9) The licensee shall not sell or otherwise dispose of the said preparations within the areas in which the Mysore Excise Act is in force, except to a person licensed to possess and sell the same.

(10) The licensee shall maintain true accounts of transactions under the license in the appended form. Permits obtained from a Taluk Office shall be carefully filled in support of the accounts. The accounts and permits shall be preserved for a period of two years. All stock of ganja or bhang and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(11) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(12) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(13) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,
.....*District.*

Station.....
Date.....

Form of Account to be maintained by Licensees manufacturing medicinal preparations containing Ganja or Bhang.

	Ganja or Bhang				Medicinal preparations			
Month and date	Opening balance	Quantity received this day, whence received and number and date of permit	Quantity issued for manufacture of medicinal preparations	Balance in stock	Opening balance	Quantity manufactured this day	Quantity received this day	Quantity sold
	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.

FORM VIII.

License for the possession and sale of *Bona-fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of..... .....District, hereby license..... ..(hereinafter called the licensee) to sell medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at.....during, the period .....subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the possession for sale and sale of only the following preparations (hereinafter called the said preparations) :—

Serial No.	Name of preparation	Percentage of ganja or bhang.
1.		
2.		
3. etc.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act, and the rules, orders and notifications made or issued thereunder.

(3) The said preparations shall not be sold except on prescription duly signed by a registered medical practitioner in Indian medicine or if the licensee is himself a registered medical practitioner in Indian medicine, on prescription duly signed by him.

(4) The said preparations shall, if obtained within an area in which the Mysore Excise Act is in force, be obtained only from a person who has been licensed to manufacture or sell such preparations.

(5) Every consignment of the said preparations imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) The licensee shall not keep for sale or sell the said preparations except on the licensed premises.

(7) The licensee shall maintain true accounts of transactions under the license in the appended form. The accounts and prescriptions shall be preserved for a period of two years. All stock of the said preparations and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police Department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(8) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(9) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(10) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,

.....*District.*

Station.....

Date.....

Form of Account to be maintained by Licensees possessing and selling preparations containing Ganja or Bhang.

Opening Balance	Quantity received this day and whence received	Quantity sold	Prescription	
			Number and date	Name of medical practitioner
S. T.	S. T.	S. T.		

FORM IX.

Sacramental Wine—Authority No. I.

Authority for the possession, use and issue of sacramental wine for the year.....

To the Bishop of.....

The Bishop of.....or his successor in office is hereby authorised to possess and use for religious purposes sacramental wine in casks or in bottles and to issue the same to the priests within his jurisdiction or to any visiting priest of the community for religious purposes in accordance with ancient custom subject to the following conditions :—

(1) Wine shall be issued for sacramental purposes only and under the personal control of the Bishop, to priests who hold authorities for its possession and use or to visiting priests from areas to which the Notification No.... ..... dated..... .....has not been extended, who stand in need of wine for sacramental purposes, and to none else or for any other purpose.

(2) Wine issued under the terms of this authority may be transported under a covering certificate issued by the Bishop.

(3) All requirements of wine shall be obtained from places outside the areas in which the said Notification is in force and no wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act under Section 6. Such authority shall not be granted except on prepayment of a gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(4) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(5) All bills for the purchase of wine shall be preserved and produced for inspection on demand by any Excise Officer not below the rank of District Excise Officer or by any police officer not below the rank of District Superintendent of Police. An account shall be maintained of all receipts and all expenditure and issues of wine.

(6) This authority should be used only for the purpose for which it is issued. Neither this authority nor the liquor covered by it should by carelessness or otherwise be permitted to be used by any one for other purposes. Abuse should be carefully guarded against,

(7) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

Sacramental Wine—Authority No. II.

Authority for the possession and use of sacramental wine for the year.....

To..... .....of.....or his successor in office, residing at.....is hereby authorised to possess wine for use only for religious purposes in accordance with ancient custom subject to the following conditions:—

(1) The wine that may be possessed under this authority shall be obtained from the Bishop of..... .....District / places situated outside the areas in which the prohibition is in force.

No wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act..... Such authorities shall not be granted except on prepayment of gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(2) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(3) All bills for the purchase and all advices for the receipt of wine shall be preserved and produced for inspection on the demand by any Revenue Officer not below the rank of Deputy Amildar or by any Police officer not below the rank of Inspector or by an Excise Inspector.

(4) An account shall be maintained of all receipts and expenditure of wine under this authority and shall be produced on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(5) This authority should be used only for the purpose for which it is issued. Neither this authortiy nor the liquor covered by it should by carelesness or otherwise be permitted to be used by any one for other purposes and abuse should be carefully guarded against.

(6) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

No. S. R. 5096—Ex. 86-47-6, dated Bangalore, 7th June 1948.

Under Section 24 of the Mysore Excise Act, V of 1901 as amended from time to time and under Section 5 of the Opium Act as applied to Mysore and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore hereby direct that the following scale of fees shall be levied for the issue of licenses and permits contemplated under exemptions specified in Government Notification No. S. R. 5094—Ex. 86-47-5, dated 7th June 1948.

Item	*Scale of fees*
1. Licenses granted to persons in Bowringpet Taluk for possession for personal consumption issued under para (1) Government Notification No. , dated	Rs. 20 per year.
2. Permits issued for the import or transport of Foreign Liquor to Licensees (Item No. 1 above).	A fee computed at the following rates :— *Per gallon* Rs. a. p. (1) Spirits, etc. ... 4 8 0 (2) Wines ... 2 4 0 (3) Beer and fermented liquors ... 0 12 0
3. Licenses granted to non-proprietory Clubs issued under para (ii) of Notification No.	A fee at the rate of Rs. 1 9 0 for each unit of 50 or part of 50 quarts of liquor proposed to be sold in a year.
4. Permits issued for the import of foreign liquor to licenses issued under item 3 above.	A fee for each permit computed at the following rates :— *Per gallon* Rs. a. p. (1) Spirits, etc. ... 4 8 0 (2) Wines, etc. ... 2 4 0 (3) Wines, etc. ... 0 12 0
5. Licenses to opium addicts granted under Para (iii) of Government Notification No. dated	Free of fee.
6. Permits for issue of opium from the Bowringpet Taluk Treasury to licensees, *vide* item 5 above.	Rs. 7 0 0 per tola.
7. Licenses for the sale of brandy and medicated wines and similar preparations granted under Para IV of Government Notification No. , dated	Rs. 25 0 0 per annum.

Item	*Scale of fees*	
8. Permits issued to licensees for import of brandy and medicated wines and similar preparations under item 7 above.	A fee for each permit computed at the following rates :—	
	1. Brandy and M. W. similar preparations whose alcoholic content is equal to 42 per cent or more of proof spirit.	Rs. a. p. 4 8 0 per gallon.
	2. Medicated wines and similar preparations whose alcoholic content is less than 42 per cent but not less than 20 per cent of proof spirit.	Rs. a. p. 2 4 0 per gallon.
	3. Medicated wines and similar preparations whose alcoholic content is less than 20 per cent of proof spirit.	No. fee
9. Other licenses issued under para IV of Government Notification No. dated	Free of license fee.	

SYED ABDUL ALEEM, *Rev. Secy.*

No. T. 4586—R. T. 40-47-1, dated Bangalore, 12th June 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, the Government of His Highness the Maharaja are pleased to direct that the Mysore Motor Vehicles Spare Parts Control Order, 1945, shall be cancelled; and to further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this Notification be given by publication in the Official Gazette and by the issue of a Press Note explaining its provisions.

MAHOMED ISMAIL SHERIFF, *Gl. Secy.*

No. S. D. 10065—C. 21-47-147, dated Bangalore, 8th June 1948.

The Mysore Kerosene Control Order, 1948.

In exercise of the powers conferred by Rule 81 (2) of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous

Provisions (Temporary Powers) Act, 1947 (XX of 1947), and in supersession of Notifications No. S. D. 6354—C. 21-47-61, dated 4th February 1948 and S. D. 7194—C. 21-47-85, dated 30th March 1948, the Government of His Highness the Maharaja are hereby pleased to make the following Order and to direct with reference to Rule 119 of the said Rules that notice of this Order be given by publishing it in the Gazette and by the issue of a Press Note explaining its provisions :—

I. (1) This Order may be called the Mysore Kerosene Control Order, 1948.

(2) It extends to the whole of the Mysore State.

(3) It shall come into force at once.

II. In this Order unless there is anything repugnant in the subject or context :—

(*a*) "dealer" means a person dealing in the purchase, sale or distribution of kerosene ;

(*b*) "primary wholesale dealer" means an agent of one of the Importing Oil Companies who is engaged in the distribution of kerosene to dealers in kerosene who sell it again ;

(*c*) "secondly wholesale dealers" means a dealer who buys kerosene to sell it again to dealers ;

(*d*) "retail dealer" means a dealer who sells kerosene to consumers ;

(*e*) "Controller" means the person appointed by Government as the Kerosene Controller or any other officer authorised by him to exercise all or any of the powers of the Controller under this Order ;

(*f*) "Form" means a form appended to this Order.

(*g*) "Importing Oil Companies" means the Burmah Shell Oil Storage and Distributing Company of India, Limited, the Standard Vacuum Oil Company and the Caltex (India), Limited.

Wholesale Trade in Kerosene.

III. (1) On and after the date of publication of this Order, no person shall carry on business as a wholesale dealer in kerosene in the State of Mysore except under and in accordance with the provisions of a license granted in that behalf by the Controller or any officer authorised by him.

(2) Nothing contained in sub-clause (1) shall apply to the Importing Oil Companies.

IV. Every application for a license as a wholesale dealer shall be made in Form I to the Controller or other officer authorised by him.

V. Licenses granted under this Order shall be in Form II.

VI. Licenses shall be granted as a matter of course, to all persons who hold appointments as agents of an Importing Oil Company and whose applications are endorsed by the respective Importing Oil Company.

VII. (1) No license shall be granted to any person who is not an agent of an Importing Oil Company—

(*a*) if he is not a *bona-fide* wholesale dealer and has not been regularly engaged in the kerosene trade for at least two years prior to 1st August 1942;

Provided that the Controller or other officer authorised by him may, in his discretion, fix any other time limit in any specified case;

Provided further that a Co-operative Society registered or deemed to be registered under the Mysore Co-operative Societies Act and Rules that are in force, shall exempt from the operation of this paragraph, if it sells kerosene both to its members and to non-members and if in the opinion of the Controller or other officer authorised by him it is deserving of such exemption;

(*b*) if he, in the opinion of the Controller or other officer authorised by him, has been profiteering in kerosene or hoarding or refusing to sell kerosene; or

(*c*) if he is otherwise considered unsuitable by the Controller or other officer authorised by him to be granted a license.

(2) The Controller or other officer authorised by him shall have absolute discretion to grant or refuse a license to any person who is not an agent of an Importing Oil Company without assigning any reason.

VIII. The Controller or other officer authorised by him shall have absolute discretion to cancel, revoke or modify any license granted by him under this order.

IX. (*a*) A holder of a wholesale license granted under this order shall comply with any directions that may be issued generally to all wholesale dealers or to him

specially by the Controller or other officer authorised by him in regard to the purchase, sale, selling price, storage and or distribution of kerosene.

(*b*) The Controller or other officer authorised by him shall have power to fix, from time to time as he may find necessary, the prices at which kerosene may be sold by each wholesale dealer.

X. No person who is the holder of a license granted under this order shall contravene any of the conditions of the license and if any such person contravenes any of the said conditions, then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by the Controller or other officer authorised hy him.

XI. No wholesale dealer shall sell any kerosene except to another wholesale dealer licensed under this order or to a registered retail dealer or to an institution approved by the Controller, or for industrial use to persons approved by the Controller, or other officer authorised by him. Such sales shall be in such quantities and at such intervals, as the Controller or other Officer authorised by him may, by general or special Order, direct.

Retail Trade in Kerosene.

XII. On and after the date of publication of this Order no person shall carry on business as a retail dealer unless he has been registered as such under this Order by the Controller or other officer authorised by him having jurisdiction over the place where the retail dealer carries on business.

XIII. The Controller or other officer authorised by him shall have absolute discretion to register or to refuse to register a retail dealer and to suspend or cancel the registration of any retail dealer.

XIV. A wholesale dealer who before the date of this order was carrying on business as a retail dealer may also be registered as a retail dealer. In such a case, the dealer shall maintain the accounts of the wholesale business and retail business separately and all the provisions governing the wholesale business and retail business shall be applicable to him.

XV. A registered retail dealer shall comply with all directions that may be given to him by the Controller or other officer authorised by him in regard to the purchase

and/or the sale and/or the selling price and/or the storage of kerosene.

XVI. The Controller or other officer authorised by him may, from time to time, issue directions fixing the quantity of kerosene that may be sold at any one time by a retail dealer to any person or institution.

XVII. Every retail dealer shall have in his possession ready for use in his business at least one measure whose capacity in ounces is marked clearly upon it and which is of such capacity as to enable the dealer to measure out readily the quantities commonly asked for by the public, namely, one bottle, half a bottle, quarter of a bottle. For the purpose of this clause, a bottle shall mean a bottle with a capacity of 24 fluid ounces.

General.

XVIII. No person other than an importing Oil Company or a dealer licensed or registered under this Order shall have in his possession or under his control a stock exceeding one tin (four gallons) of kerosene at a time:

Provided that this clause shall not apply to institutions or special classes of consumers to whom permits are issued by the Controller to buy kerosene in tins or to consumers such as, Railway Companies and the Military who have been allowed to buy kerosene direct from the importing Oil Companies:

Provided further that this exemption shall not apply to employees of importing oil companies who have been allowed to buy kerosene direct from such companies.

XIX. Any Officer authorised by the Controller may enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage of kerosene is taking place contrary to the provisions of this order.

XX. If any person contravenes any of the provisions of this order then without prejudice to any other punishment to which he may be liable, any Court trying such contravention may order that any stocks of kerosene together with the containers and coverings thereof in respect of which the Court is satisfied that such provision has been contravened, shall be forfeited to Government.

A. S. KHALEEL,
Food and Civil Supplies Secy.

FORM I.

(*See* CLAUSE IV).

Form of Application for License as a Wholesale Dealer in Kerosene.

1	Applicant's name and address ...	
2	Applicant's place of business ...	
3	How long the applicant has been trading in kerosene.	
4	Quantity of kerosene handled annually by the applicant during the past two years and a half year. (Quantity to be specified in gallons).	1940 1941 January to June 1942.

I declare that the following quantities of kerosene are in my possession this day, and are held at the places noted against them :—

Name of place.....

Stocks.....

Variety .....

Quantity (in gallons).....

I hereby certify that to the best of my knowledge the particulars given in this application are true and correct.

Signature of the applicant.

FORM II.

(*See* CLAUSE V).

The Mysore Kerosene Control Order, 1948.

License Granted to a Wholesale Dealer.

(Free of all fee).

Subject to the provisions of the Mysore Kerosene Control Order, 1948, and to the terms and conditions of this license..... is/are hereby authorised to deal wholesale in kerosene.

2. The licensee shall carry on the aforesaid business at the following place :—

Note.—Where the same person carries on business in more than one place, a separate license should be obtained in respect of each such place and the registers and returns referred to in paragraphs 4 and 5 following, shall be maintained and submitted separately for each such place.

3. The licensee shall not store kerosene in any place other than that specified in paragraph 2 above except with the approval of the Controller or other officer authorised by him.

4. The licensee shall maintain a register of daily accounts showing correctly all transactions of kerosene in his possession. It shall show—

(*a*) The opening stock on each day.

(*b*) The quantitities and the brands received on each day showing the names of the suppliers.

(*c*) The quantities sold, delivered or otherwise disposed of on each day showing the places of destination and the names of the consignees.

Note.—When a licensee is registered as a retail dealer the stock issued for retail trade should also be entered in the transactions and a separate account maintained for the retail sales.

(*d*) The closing stock on each day.

5. The licensee shall submit to the Controller or other officer authorised by him so as to reach him not later than the 5th of each month a true return in Form III to the Mysore Kerosene Control Order, 1948, of the stocks, receipts, deliveries and balance during the previous month.

6. The licensee shall exhibit in a prominent position at his place of business a statement showing the following particulars in English and Kannada :—

STATEMENT.

(1) Name of oil.

(2) Importing Oil Company's price f.o.r. bulk ... Rs. per

Importing Oil Company's price f.o.r. packed Rs. per

or if the wholesale dealer is not a primary wholesale dealer buying direct from an Importing Oil Company but a secondary wholesale dealer buying from a primary wholesale dealer :—

Primary wholesale dealer's price ex-installation bulk ... Rs. per

Primary wholesale dealer's price ex-installation packed ... Rs. per

(3) Actual transport charges from rail or installation to place of sale.

(4) Incidental charges.

(5) Selling price.

7. The licensee shall issue to every customer a correct receipt giving the name, the license number, the date of the transaction, the quantity sold, the rate at which sold, and the total amount charged, and shall keep a duplicate of the same to be available for inspection on demand by any officer authorised by the Controller.

8. The licensee shall give all facilities at all reasonable hours to any officer authorised by the Controller, for the inspection of the accounts and stocks wheresoever they may be kept and for taking samples of kerosene for examination.

9. The licensee shall comply with any directions that may be given to him by the Controller in regard to the purchase, sale or storage for sale or distribution of kerosene.

10. The licensee shall not have in his possession or under his control any kerosene in excess of the net quantity revealed by his account, and if any such excess quantity is not properly accounted for by the licensee, it will be liable to be confiscated by the Government.

11. Contravention of any of the conditions of this license whether by the licensee or his agent or servant or by any person who can reasonably be presumed to have been acting on his behalf will render the license liable to cancellation or suspension.

FORM III.

(*See* PARAGRAPH 5 OF FORM II).

Return of stocks, receipts and deliveries of kerosene during the month of .....

License No.....

Name.....

Address.....

Particulars	Variety	Quantity
1. Stock at the beginning of the month ...		
2. Quantities received during the month ...		
Name of the suppliers ...		
Total of items (1) and (2) ...		
3. Quantities delivered or otherwise removed during the month to.....		
(*a*) other licensees ...		
(*b*) registered retail dealers ...		
(*c*) others—names ...		
Total quantity issued ...		
4. Stock at the end of the month ...		

No. S.D. 10087—C. 21-47-148, dated Bangalore, 8th June 1948.

The Bangalore Kerosene Control Order, 1948.

Under section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), and in supersession of Notification No. S.D. 7391—C. 21-47-88, dated 1st April 1948, the Government of His Highness the Maharaja of Mysore are hereby pleased to make the following Order:—

I. (1) This Order may be called the Bangalore Kerosene Control Order, 1948.

(2) It extends to the whole of the Civil Station Area, Bangalore.

(3) It shall come into force at once.

II. In this order, unless there is anything repugnant in the subject or context;—

(*a*) "dealer" means a person dealing in the purchase, sale or distribution of kerosene;

(*b*) "primary wholesale dealer" means an agent of one of the Importing Oil Companies who is engaged in the distribution of kerosene to dealers in kerosene who sell it again;

(*c*) "secondary wholesale dealer" means a dealer who buys kerosene to sell it again to dealers;

(*d*) "retail dealer" means a dealer who sells kerosene to consumers;

(*e*) "Controller" means the person appointed by Government as the Kerosene Controller or any other officer authorised by him to exercise all or any of the powers of the Controller under this order;

(*f*) "form" means a form appended to this order;

(*g*) "Importing Oil Companies" means the Burma Shell Oil Storage and Distributing Company of India, Limited, the Standard Vacuum Oil Company and the Caltex (India), Limited.

Wholesale Trade in Kerosene.

III. (1) On and after the date of publication of this order, no person shall carry on business as a wholesale dealer in kerosene in the Civil Station, Bangalore, except under and in accordance with the provisions of a license granted in that behalf by the Controller or any officer authorised by him.

(2) Nothing contained in sub-clause (1) shall apply to the Importing Oil Companies.

IV. Every application for a license as a wholesale dealer shall be made in Form I to the Controller or other officer authorised by him.

V. Licenses granted under this Order shall be in Form II.

VI. Licenses shall be granted as a matter of course, to all persons who hold appointments as agents of an Importing Oil Company and whose applications are endorsed by the respective Importing Oil Company.

VII. (1) No license shall be granted to any person who is not an agent of an Importing Oil Company.—

(*a*) if he is not a *bona fide* wholesale dealer and has not been regularly engaged in the kerosene trade for at least two years prior to 1st August 1942;

Provided that the Controller or other officer authorised by him may, in his discretion, fix any other time-limit in any specified case;

Provided further that a Co-operative Society registered or deemed to be registered under the Bangalore Co-operative Societies Act and Rules that are in force, shall be exempt from the operation of this paragraph, if it sells kerosene both to its members and to non-members and if, in the opinion of the Controller or other officer authorised by him, it is deserving of such exemption.

(*b*) if he, in the opinion of the Controller or other officer authorised by him, has been profiteering in kerosene or hoarding or refusing to sell kerosene; or

(*c*) if he is otherwise considered unsuitable by the Controller or other officer authorised by him to be granted a license.

(2) The Controller or other officer authorised by him shall have absolute discretion to grant or refuse a license to any person who is not an agent of an Importing Oil Company without assigning any reason.

VIII. The Controller or other officer authorised by him shall have absolute discretion to cancel, revoke or modify any license granted under this order.

IX. (*a*) A holder of a wholesale license granted under this order shall comply with any directions that

may be issued generally to all wholesale dealers or to him specially by the Controller or other officer authorised by him in regard to the purchase, sale, selling price, storage and/or distribution of kerosene.

(b) The Controller or other officer authorised by him shall have power to fix, from time to time as he may find necessary, the prices at which kerosene may be sold by each wholesale dealer.

X. No person who is the holder of a license granted under this order shall contravene any of the conditions of the license and if any such person contravenes any of the said conditions then without prejudice to any other action that may be taken against him, his license may be cancelled or suspended by the Controller or other officer authorised by him.

XI. No wholesale dealer shall sell any kerosene except to another wholesale dealer licensed under this order or to a registered retail dealer or to an institution approved by the Controller or for industrial use to persons approved by the Controller or other officer authorised by him. Such sales shall be in such quantities and at such intervals, as the Controller or other officer authorised by him may, by general or special order, direct.

Retail Trade in Kerosene.

XII. On and after the date of publication of this order, no person shall carry on business as a retail dealer unless he has been registered as such under this order by the Controller or other officer authorised by him having jurisdiction over the place where the retail dealer carries on business.

XIII. The Controller or other officer authorised by him shall have absolute discretion to register or to refuse to register a retail dealer, and to suspend or cancel the registration of any retail dealer.

XIV. A wholesale dealer who, before the date of this order, was carrying on business as a retail dealer may also be registered as a retail dealer. In such a case, the dealer shall maintain the accounts of the wholesale business and retail business separately and all the provisions governing the wholesale business and retail business shall be applicable to him.

XV. A registered retail dealer shall comply with all directions that may be given to him by the Controller or other officer authorised by him in regard to the purchase

and/or the sale and/or the selling price and/or the storage of kerosene.

XVI. The Controller or other officer authorised by him may from time to time issue directions fixing the quantity of kerosene that may be sold at any one time by a retail dealer to any person or institution.

XVII. Every retail dealer shall have in his possession ready for use in his business at least one measure whose capacity in ounces is marked clearly upon it and which is of such capacity as to enable the dealer to measure out readily the quantities commonly asked for by the public, namely, one bottle, half a bottle, quarter of a bottle. For the purposes of this clause, a bottle shall mean a bottle with a capacity of 24 fluid ounces.

General

XVIII. No person other than an Importing Oil Company or a dealer licensed or registered under this order shall have in his possession or under his control a stock exceeding one tin (four gallons) of kerosene at a time:

Provided that this clause shall not apply to institutions or special classes of consumers to whom permits are issued by the Controller to buy kerosene in tins or to consumers such as Railway Companies and the Military who have been allowed to buy kerosene direct from the Importing Oil Companies:

Provided further that this exemption shall not apply to employees of Importing Oil Companies who have been allowed to buy kerosene direct from such companies.

XIX. Any Officer authorised by the Controller may enter upon and inspect any premises in which he has reason to believe that the purchase, sale or storage of kerosene is taking place contrary to the provisions of this order.

XX. If any person contravenes any of the provisions of this order then without prejudice to any other punishment to which he may be liable any Court trying such contravention may order that any stocks of kerosene together with the containers and coverings thereof in respect of which the Court is satisfied that such provision has been contravened, shall be forfeited to Government.

A. S. KHALEEL,
Food and Civil Supplies Secy.

FORM I.

(*See* CLAUSE IV).

Form of Application for License as a Wholesale Dealer in Kerosene.

1 Applicant's name and address ...	
2 Applicant's place of business ...	
3 How long the applicant has been trading in kerosene.	
4 Quantity of kerosene handled annually by the applicant during the past two years and a half years. (Quantity to be specified in gallons).	1940 1941 January to June 1942

I declare that the following quantities of kerosene are in my possession this day, and are held at the places noted against them :—

Names of places.....

Stocks.....

Variety..... .....

Quantity (in gallons).....

I hereby certify that to the best of my knowledge the particulars, given in this application, are true and correct.

Signature of the applicant.

FORM II.

(*See* CLAUSE V.)

The Bangalore Kerosene Control Order, 1948.

License Granted to a Wholesale Dealer.

(Free of all fee.)

Subject to the provisions of the Bangalore Kerosene Control Order, 1948 and to the terms and conditions of this license, ... is/are hereby authorised to deal wholesale in kerosene.

2. The licensee shall carry on the aforesaid business at the following place :—

Note.—Where the same person carries on business in more than one place, a separate license should be obtained in respect of each such place and the registers and returns referred to in paragraphs 4 and 5 following, shall be maintained and submitted separately for each such place.

3. The licensee shall not store kerosene in any place other than that specified in paragraph 2 above except with the approval of the Controller or other Officer authorised by him.

4. The licensee shall maintain a register of daily accounts showing correctly all transactions of kerosene in his possession, It shall show—

(*a*) The opening stock on each day.

(*b*) The quantities and the brands received on each day showing the names of the suppliers.

(*c*) The quantities sold, delivered or otherwise disposed of on each day showing the places of destination and the names of the consignees.

Note.—When a licensee is registered as a retail dealer, the stock issued for retail trade should also be entered in the transactions and a separate account maintained for the retail sales.

(*d*) The closing stock on each day.

5. The licensee shall submit to the Controller or other officer authorised by him so as to reach him not later than the 5th of each month a true return in Form III to the Bangalore Kerosene Control Order, 1948 of the stocks, receipts deliveries and balance during the previous month.

6. The licensee shall exhibit in a prominent position at his place of business a statement showing the following particulars in English and Kannada.—

STATEMENT.

(1) Name of oil.

(2) Importing Oil Company's price F. O. R. bulk ... Rs. .....per

.....Importing Oil Company's price F.O.R. packed. Rs. .....per

.....or if the wholesale dealer is not a primary wholesale dealer buying direct from an importing Oil Company but a secondary wholesale dealer buying from a primay wholesale dealer.—

Primary wholesale dealer's price ex-installation bulk ... ... Rs. .....per

Primary wholesale dealers price ex-installation packed ... ... Rs. .....per

(3) Actual transport charges from rail or installation to place of sale.

(4) Incidental Charges.

(5) Selling price.

7. The Licensee shall issue to every customer a correct receipt giving the name, the license number, the date of the transaction, the quantity sold, the rate at which sold, and the total amount charged, and shall keep a duplicate of the same to be available for inspection on demand by any officer authorised by the Controller.

8. The licensee shall give all facilities at all reasonable hours to any officer authorised by the Controller, for the inspection of the accounts and stocks wheresoever they may be kept and for taking samples of kerosene for examination.

9. The licensee shall comply with any directions that may be given to him by the Controller in regard to the purchase, sale or storage for sale or distribution of kerosene.

10. The licensee shall not have in his possession or under his control any kerosene in excess of the net quantity revealed by his account, and if any such excess quantity is not properly accounted for by the licensee, it will be liable to be confiscated by the Government.

11. Contravention of any of the conditions of this license whether by the licensee or by any person who can reasonably be presumed to have been acting on his behalf will render the license liable to cancellation or suspension.

FORM III.

(*See* PARAGRAPH 5 OF FORM II).

Return of stocks, receipts and deliveries of Kerosene during the month of.....

License No.....

Name.....

Address.....

Particulars	Variety	Quantity
1. Stock at the begining of the month ...		
2. Quantities received during the month ...		
Name of the suppliers.		
Total of items (1) and (2) ...		
3. Quantities delivered or otherwise removed during the month to—		
(*a*) other licensees ...		
(*b*) registered retail dealers ...		
(*c*) others—names ...		
Total quantity issued ...		
4. Stock at the end of the month ...		

No. S.D. 10122—Co. 47-47-3, dated Bangalore, 11th June 1948.

In exercise of the powers conferred by section 3 of the Essential Supplies, (Temporary Powers) Act, 1947, (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws Act), 1947, (XXIII of 1947), the Government of His Highness the Maharaja are pleased to make the following order and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the order shall be given by the publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions:—

1. (*a*) This Order may be called the Cement Rationing Order, 1948.

(*b*) It extends to the whole of the retroceded area of the Civil Station, Bangalore.

(*c*) It shall come into force from the date of publication of the notification.

2. In this Order, unless there is anything repugnant in the subject or context,

(*a*) 'Chief Cement Rationing Authority' means the Additional Director of Industries and Commerce and includes any other Gazetted Officer to whom powers may be delegated by the Chief Cement Rationing Authority.

(*b*) 'Cement' means Chamundi Brand cement manufactured by the Mysore Iron and Steel works and includes all other brands of cement imported into Mysore.

(*c*) 'Manufacturer of cement' means any person or company which manufactures cement and whose manufacturing capacity amounts to 10 tons or more per month.

(*d*) 'Cement Marketing Company of India' means Bangalore Branch of the Company and their stockists in the State.

(*e*) 'Dealer in Cement' means any person who stocks and sells cement in quantities not less than one cwt. at a time.

(*f*) 'Form' means a form set out in Appendix I.

3. (*a*) No manufacturer of cement or dealer in cement shall distribute, sell or otherwise dispose of cement except under an authorisation issued by the Chief Cement Rationing Authority.

(*b*) No person who has acquired cement as under sub-clause (*a*) shall use or dispose of cement so acquired in any manner other than that specified in the authorisation.

(*c*) No person shall be in possession of any quantity of cement except such quantities as are obtained under an authorisation issued by the Chief Cement Rationing Authority.

4. Every manufacturer of cement and every dealer in cement shall submit to the Chief Rationing Authority on or before the 10th day of every month a true return in Form I of cement manufactured, received, distributed, sold or disposed of during the preceding calendar month:

Provided that the Cement Marketing Co. of India, Ltd., may submit a consolidated return as above of all the stocks of cement handled by their stockists and in such a case it shall not be necessary for their stockists to send returns as required by this clause.

5. The Government may, from time to time, fix the price of cement by publication of the same in the Official Gazette and by the issue of a Press Note, and no person shall sell cement at a price different from the price so fixed:

Provided that until amended, the Government Notification No. C. 1889—Co. 31-47-1, dated the 5th January 1948, shall be deemed to have been issued under this clause.

6. The Government or the Chief Cement Rationing Authority may—

(*a*) direct a manufacturer of or dealer in cement or any other person carrying on any transaction connected with cement to furnish such information and to maintain such records or accounts as may be specified;

(*b*) seize or authorise the seizure of any cement in respect of which there is reason to believe that a contravention of this order has been, is being or is about to be committed.

7. Application for supply of cement should be made to the Cement Rationing Authority in Mysore in Form II.

8. Notwithstanding the provisions of clauses 3 to 7, the Government or such authority as the Government may empower in this behalf may, if it is satisfied that

special circumstances exist, by special order, authorise the doing of any act which would otherwise be in contravention of those provisions, and may attach to the authorisation such conditions or directions as it thinks fit.

9. Any court trying a contravention of this order may direct that any cement (including the receptacle or bag containing such cement) in respect of which the court is satisfied that this order has been contravened shall be forfeited to Government.

A. S. KHALEEL,
Food and Civil Supplies Secy.

APPENDIX.

FORM I.

Name of the manufacturer or dealer .....

Full address .....

Particulars	Variety of Cement	Total quantity (tons)
1. Stock on hand at the end of the preceding month ...		
2. Quantity manufactured during the month		
3. Quantity received during the month (*a*) from		
4. Total of items 1 to 3 ...		
5. Quantity disposed of during the month ... ... (*a*) How disposed		
6. Balance of stock at the end of the month		

I/We declare that the above is a true account of cement manufactured, acquired and disposed of by me/us during the month ending.....

Place.....

Signature.

Date .....

FORM II.

Application for Cement for use by the Public for Essential Property Repairs, etc.

To

The Additional Director of Industries and Commerce
in Mysore, Bangalore.

From

.....

.....

.....

(Registered Stockists)

for.....Brand of cement

I require.....bags of cement for the following purpose(s)
.....
.....
.....

The work will be carried out at.....
It is estimated that the work will take.....days to complete by which time the cement will have been consumed.

My request for cement is supported by.....
.....

"An application is more likely to be favourably considered if it is supported by any one of the following:—The Collector, the District Magistrate or Sub-Division Officer, the Superintending Engineer or Executive Engineer of Public Works Department, the Chairman or Engineer of the Municipality or District Board, the Medical Officer of Health and duly registered Architects and Engineers."

I have signed the declaration overleaf and such declaration concerns this my application.

Place.....

Date..... *Signature of the Applicant*

Office of the Chief Cement Rationing Authority, Bangalore City.

Declaration concerning the application of cement as shown on the reverse.

Stamp duty, if any, payable on this agreement shall be borne by Government.

No application will be considered unless the declaration given below is signed by the applicant.

1. I declare that no authorisation has already been issued (to me) for the cement required for the specific purpose, as defined above and for which I am now applying.

2. I declare that no other person has applied for the cement required for the specific purpose as defined above.

3. I declare that no application for the cement required for the specific purpose as defined above is being made by me, or other persons on my behalf, through any other channel.

4. I declare that if an authorisation is issued on the faith of my application, the full quantity of cement will be used for the works stated above and that it will not be used for any other work given or sold to any other party and any breach by me of this condition will amount to misrepresentation and obtaining cement by false pretences.

5. I agree that any authorised representatives of the Regional Hon. Cement Adviser/The Additional Director of Industries and Commerce (Cement), Bangalore City, may inspect the work and my stocks obtained under this authorisation or previous authorisation (wherever they may be) at any time on request and I shall also provide such information as to its use as may be asked for.

6. I agree that should it be found that any portion of the cement supplied to me has been resold or used for any other purpose than that stated by me or in the authorisation or is not required for the said purpose, all the cement in stock or with me may be confiscated.

Place.....

Date.....

Signature of the applicant.

NOTIFICATION.

No. 3415—L. C., Bangalore, dated the 12—14th June 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Minor Tank Restoration (Amendment) Bill, is published for general information.

By Order,

T. KEMPAIYA,

Secretary,

Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE MINOR TANK RESTORATION (AMENDMENT) BILL.

We, the Members of the Select Committee to which the Minor Tank Restoration (Amendment) Bill has been referred, have considered the Bill at a meeting held on 8th May 1948 and have the honour to submit the following report:—

"Clause 2 (2) may be amended as follows:—

'All raiyats holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such lands, to pay as contribution one-fifth of the actual cost of restoration or one-fifth of the probable cost as published under Section 3 (1), whichever is less'."

We recommend that the Bill as amended be re-published.

H. SIDDAIYA.
K. HENJERAPPA.
K. M. KRISHNAPPA GOWDA.
S. NARAYANA RAO.
S. KANAKARATNARAJ.
T. MADIAH GOWDA.
J. MAHOMED IMAM. *

*Mushir-ul-Mulk J. Mahomed Imam has signed the report subject to a note printed below.

Sri O. Veerabasappa, Sri Belur Srinivasa Iyengar, *Dharmaprakasa* L. S. Venkaji Rao and Sri D. S. Mallappa did not attend the meeting.

Sri S. L. Mannaji Rao has not returned the report with his approval.

Note by *Mushir-ul-Mulk* J. Mahomed Imam, dated 8th June 1948.

Sir,

I have approved the report of the Select Committee regarding the amendment of the Minor Tank Restoration Bill subject to the following minute :—

" I am still of opinion that in the interest of speedy restoration of minor tanks, no contribution should be insisted upon from the raiyat. Since the Chairman assured that this will only be a temporary measure and that the whole policy will be revised soon, I have signed the report on this understanding ".

THE MINOR TANK RESTORATION (AMENDMENT) BILL.

(*As amended by the Select Committee*).

Note.—Portion in brackets to be omitted. Italics are additions made by the Select Committee.

A Bill further to amend the Minor Tank Restoration Act, 1916.

Whereas it is expedient further to amend the Minor Tank Restoration Act, 1916 (XIII of 1916);

It is hereby enacted as follows :—

Short title and Commencement.

1. (1) This Act may be called the Minor Tank Restoration (Amendment) Act, 194 .

(2) It shall come into force at once.

2. For sub-section (2) of Section 4 of the Minor Tank Restoration Act, 1916, the following sub-section shall be substituted, namely :—

Amendment of sections 4, Act XIII of 1916.

[(2) All raiyats holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such lands, to pay as contribution :—

(*a*) where the actual cost of restoration or ~~the~~ probable cost as published under sub-section (1) of section 3 (whichever is less), does not exceed sixty times the annual assessment or the annual assessment and water-rate, as the case may be, on the irrigable land, then one-fourth of such actual or probable cost; and

(*b*) where such actual or probable cost (whichever is less) exceeds sixty times the annual assessment or the annual assessment and water-rate on the irrigable land, then fifteen times the annual assessment or annual assessment and water-rate, as the case may be, and one-half of the amount by which the actual or probable cost exceeds sixty times the annual assessment or the annual assessment and water-rate.]

(2) *All raiyats holding lands under the tank shall be liable, in the proportion of the assessment or assessment and water-rate, as the case may be, payable on such lands, to pay as contribution one-fifth of the actual cost of restoration or one-fifth of the probable cost as published under Section 3 (1) whichever is less.*

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EXTRAORDINARY

BANGALORE, TUESDAY, JUNE 22, 1948.

NOTIFICATION.

Order No. R. L. 3088—Legis. 46-47-1, Bangalore, dated 22nd June 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the Eighteenth day of June 1948, be published as Act No. XXVIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXVIII OF 1948.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (SECOND AMENDMENT) (EMERGENCY) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 18th day of June 1948.*)

An Act further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render

it necessary to take immediate action further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

Amendment of section 46, Act XXVII of 1944.

2. For sub-section (1) of section 46 of the Mysore Motor Vehicles and Road Traffic Act, 1944, the following sub-section shall be substituted, namely,—

"(1) A permit shall be in force till the end of the official year during which the permit was granted, or for such less period as the Traffic Board may from time to time by order specify in this behalf".

A. RAMASWAMI MUDALIAR,
Dewan.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. L. 18113—Ml. 44-47-15, dated Bangalore, 24th June 1948.

In exercise of the powers vested in them under Section 228-2(*h*) of the Mysore City Municipalities Act, 1933, as amended from time to time and the rules framed thereunder, the Government of His Highness the Maharaja are pleased to direct that Rule No. 84 of the Rules for the regulation of water supply in Bangalore City be modified as follows:—

"84(*a*) In the case of public supplies of water, the bills for which are payable out of Government funds, the Department to which the water is supplied should return the bills for supply of water, duly accepted, within 15 days of their receipt in that Department. In the case of bills which require the countersignature of a superior authority the due date will be the 15th of the month following the one in which the bills are rendered.

If the bills are not returned accepted before the due dates, the Water Supply Department may send a duplicate copy of the bill concerned to the Comptroller for adjustment as if acceptance has been intimated. This procedure is admissible in the case of bills for supply of water and

not in the case of those for other supplies made or services rendered by the Water Supply Department."

"84 (*b*) But when the claims relating to the Government Institutions are disputed by them, the water supply shall not be cut off immediately, but two months' time shall be given to refer the matter to the departmental head and obtain orders for recovery.

Should they continue to default even thereafter, the matter may be referred to the Secretary to Government, Public Works Department and arrangements made for recovery through the Comptroller."

No. L. B. 8730—L. B. 92-47-2, dated Bangalore, 26th June 1948.

In exercise of the powers conferred by sub-section (2) of Section 588 of the Mysore Village Panchayet Act, 1926 (II of 1926) and sub-section (2) of Section 102 of the Mysore District Boards Act, 1926 (III of 1926), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the rules published in Notification No. L. 7346—V.P. 63-43-2, dated the 19th January 1944, as subsequently amended, namely :—

After rule 11 of the said Rules, the following rule shall be inserted, namely :—

"II A. (1) The President of the Board may—

(*a*) compromise with any person who, in the opinion of the Board, has committed an offence punishable under any of these rules or any bye-law thereunder, and on such compromise, no proceedings shall be taken against such person in respect of such offence;

(*b*) withdraw from prosecutions instituted under these rules or under any bye-law thereunder;

(*c*) compound any offence against these rules or any bye-law made thereunder.

(2) The President of the Board may, while compromising with any person or withdrawing from any prosecution or compounding any offence, accept from the person compromised with or against whom proceedings are instituted, a sum of money not exceeding one hundred rupees for every such compromise, withdrawal from prosecution or compounding of an offence."

SYED ABDUL ALEEM, *Rev. Secy.*

No. S. R. 5336—L. W. 16-44-8, dated Bangalore, 26th June 1948.

In exercise of the powers conferred by Section 43 of the Mysore Factories Act, 1936, (I of 1936), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Mysore Factories (Amended) Rules 1936, the same having been previously published in the *Mysore Gazette* as required by Section 78 of the said Act, namely :

Amendment.

Under the Head " ..... 18, Chemical Factories" in the Appendix to the Mysore Factories (Amended Rules), 1936 the following item shall be added to Rule 114 appendix namely :—

Section of the Act empowering grant of exemption	Class of factory	Nature of exempted work	Extent of exemption	Conditions
43 (2) (*d*) and 43.	...	Work of persons engaged in extracting liver, filling up and sealing of injectable solutions in ampoules and in the patent section.	34 to 38	(*a*) The exemption should be permitted only in respect of a limited number of persons fixed by the Chief Inspector of Factories and Boilers. (*b*) The total hours of work shall not exceed 60 per week and 11 per day ; (*c*) No worker shall work consecutively for more than 13 days without a holiday for a whole day or at least for such period not less than 24 hours as the Chief Inspector shall consider equivalent to a whole day's rest. (*d*) Sufficient time (though not a fixed period) to the satisfaction of the Inspector shall be allowed for meals.

MAHOMED ISMAIL SHERIFF, *Genl. Secy.*

No. S. D. 10412—C. O. 47-47-6, dated Bangalore, the 23rd June 1948.

In pursuance of clause 5 of the Cement Rationing Order 1948, the Government of His Highness the Maharaja are pleased to fix the prices of all brands of cement as noted below and to direct with reference to rule 119 (1) of the said rules that notice of the price fixation shall be given by publication of the same in the Official Gazette and by issue of a Press Note:—

(1) for deliveries to stations in the Mysore State on the Broad Guage up to and inclusive of Bangalore City and to all stations on the Narrow Gauge between Bangalore City and Bowringpet;	Rs. 88-8-0 per ton in full waggon loads *f.o.r.* any railway station.
(2) for deliveries to stations elsewhere in the Mysore State;	Rs. 90-12-0 per ton in full waggon loads *f.o.r.* any railway station;

(3) retail prices shall not exceed the maximum *f.o..r* any railway station prices by more than the amount, it would be permissible for the seller to charge under the normal practice authorised heretofore by the Cement Marketing Company of India on such an *f.o.r.* price. In charging such a price, the seller shall take into consideration the expenditure on items such as cost of unloading of waggon, cartage from station to godowns, stocking in godowns, godown rents, wastage and profit margin of the seller;

(4) provided that waggon-load as well as retail prices mentioned above shall be for supplies ex-nearest works. In the case of sale of waggon-loads as well as retail sales, the sellers may, in addition to such prices, charge extra for proportionate freight difference, if supplies were actually made from a more distant work;

(5) provided further that all such supplies into Mysore State from works other than the nearest works shall be made by the Cement Marketing Company of India, on the specific authorisation of the Additional Director of Industries and Commerce in Mysore, Bangalore;

(6) provided also that in case of all sales (waggon-loads or smalls), the sellers shall be entitled to charge in addition to the aforesaid waggon-load and retail prices, extra for general or special increase in freight after the date of this order for octroi, towns' duty, terminal tax, sales tax or any other charge, levy or imposition payable by the sellers.

No. S. D. 10415—C. O. 47-47-7, dated Bangalore, the 23rd June 1948.

In pursuance of clause (5) of the Cement Rationing Order, 1948, the Government of His Highness the Maharaja are pleased to fix the price of all brands of cement as noted below :—

(1) For deliveries to Civil Station, Bangalore.	Rs. 88-8-0 per ton in full waggon loads *f.o.r.* Bangalore.

(2) retail prices shall not exceed the maximum *f.o.r.* any railway station, prices by more than the amount it would be permissible for the seller to charge under the normal practice authorised heretofore by the Cement Marketing Company of India on such an *f.o.r.* price. In charging such a price, the seller shall take into consideration the expenditure on items such as cost of unloading of waggon, cartage from station to godowns, godown rents, wastage and profit margin of the seller. ;

(3) provided that waggon load as well as retail prices mentioned above shall be for supplies ex-nearest works. In the case of sale of waggon loads as well as retail sales, the seller may, in addition to such prices, charge extra for proportionate freight difference, if supplies were actually made from a more distant works.

(4) provided further that all such supplies into the Station from works other than the nearest works shall be made by the Cement Marketing Company of India on the specific authorisation of the Additional Director of Industries and Commerce in Mysore, Bangalore ;

(5) provided also that in case of all sales (waggon loads or smalls) the sellers shall be entitled to charge in

addition to the aforesaid waggon load and retail prices extra for general or special increase in freight after the date of this order for Octroi, towns duty, terminal tax, sales tax or any other charge levy or imposition payable by the sellers.

No. S. D. 10515—C. 22-47-103, dated Bangalore, 26th June 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers), Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the following clause shall be substituted for clause 3 of the Sugar and Sugar Products Control Order, 1947, issued under Notification No. S. D. 4157—C. 22-47-16, dated 6th December 1947, and that with reference to sub-rule (1) of Rule 119 of the said rules notice of this order shall be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions :—

"3. No Sugar or Sugar Products shall be exported from the Mysore State, except under a permit granted by the Director of Food Supplies in Mysore or by any Officer authorised by him in this behalf :

Provided that nothing contained in this clause shall apply to Chocolates, peppermints and other articles of confectionery."

A. S. KHALEEL,
Food and Civil Supplies Secy.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No.P. 12016—Pol. 341-47-2, dated Bangalore, 30th June 1948.

In exercise of the powers conferred by sub-section (1) of section 20 of the Mysore Maintenance of Public Order (Emergency) Act, 1948 (Act No. XV of 1948), the Government of His Highness the Maharaja are pleased to direct that no person shall, while proceeding to any place outside the Mysore State, carry or otherwise be in possession of arms, or articles capable of being used as arms, or ammunition, or explosive substances except with the previous permission in writing of the District Magistrate concerned or of an officer authorised by him :

Provided that this prohibition shall not apply to arms, or articles capable of being used as arms, or ammunition or explosive substances which are carried or possessed, while proceeding to any place outside the Mysore State, by an Officer of the Police or the Armed forces of the Government of Mysore, of the Government of India or of a Provincial Government in the course of his duty.

V. VEDAVYASACHARYA, *Chief Secy.*

No. S. D. 10560—R. 44-47-2, dated Bangalore, 29th June 1948.

In exercise of the powers conferred by rules 81 and 116 of the Defence of India Rules, as applied in Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency) Act 1946, the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Rationing Order (Food), 1943, issued under Notification No. S. D. 2182—C 94-43, dated the 1st October 1943.

Add the following additional clause as 10 (a) between clauses 10 and 11 of the said order :—

"No person residing in a rationed area and holding a ration document shall retain with him at a time foodgrains (saved by him out of the rations drawn by or allowed to him on his ration card) exceeding his requirements for six weeks except in the case of land holders allowed to retain foodgrains grown on their own lands to the extent adjusted on their ration cards".

Government further direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the same shall be given by the publication of the said notification in the Official Gazette.

This shall come into force from the date of publication of this notification.

No. S. D. 10593—C. 100-47-81, dated Bangalore, the 29th June 1948.

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja of Mysore are pleased to direct that the following amendments shall be made in the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, issued under Notification No. S. D. 9938 C. 100-47-68, dated the 1st June 1948 and that with reference to sub-rule (1) of rule 119 of the Defence of India Rules, notice of these amendments shall be given by publication of the same in the *Mysore Gazette* :—

In sub-clause (f) (i) of clause 2, *substitute* the words "Six weeks" *in place of* "three months."

The sub-clause as amended will read as follows :—

"(f) 'Normal quantity' means in relation to—

(1) a person other than a holder, residing in a statutory rationed area, the quantity of food-grains required for use and consumption in the household or establishment of such person during a period of six weeks at the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependants of such person or who reside in such establishment."

This will come into force from the date of publication of this Notification.

A. S. KHALEEL,
Food and Civil Supplies Secy.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. R. L. 29—Legis. 5-48-1, Bangalore, dated 14th July 1948.

Ordered that the accompanying Civic Guards (Amendment) Act, 1948 which received the assent of His Highness the Maharaja, on the 10th day of July 1948, be published as Act No. XXXV of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXV OF 1948.

THE CIVIC GUARDS (AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 10th day of July 1948.*)

WHEREAS it is expedient to amend the Civic Guards Act, 1941 (XIV of 1941), for the purpose hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Civic Guards (Amendment) Act, 1948.

(2) It shall come into force at once.

Amendment of section 1, Act XIV of 1941.

2. For sub-section (1) of Section 1 of the Civic Guards Act, 1941 (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely:—

"(1) This Act may be called the Home Guards Act, 1941."

Substitution of certain words in Act XIV of 1941.

3. In the said Act, for the words "Civic Guards" occurring in sections 2 to 8, the words "Home Guards" shall be substituted.

Repeal and Savings.

4. The Civic Guards (Amendment) (Emergency) Act, 1948 (I of 1948), is hereby repealed. But anything done, and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 10th day of January 1948.

A. RAMASWAMI MUDALIAR,
Dewan.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. S. R. 5094—Ex. 86-47-5, dated 7th June 1948.

Under Sections 9 and 13-A of the Mysore Excise Act, V of 1901, as amended from time to time and under Section 5 of the Opium Act, as applied to Mysore and under Rule III (1) of the Opium Rules as amended by Notification No. Fl. 8381—Ex. 122-40-2, dated 17th June 1941, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are hereby pleased to prohibit the possession and transport of toddy, arrack, ganja, opium (raw) or prepared special liquors, foreign liquors, foreign or country beer, by any person in Bowringpet Taluk, Kolar District, except in the cases and subject to the conditions specified hereunder :—

2. (1) The Deputy Commissioner, Kolar District,

may grant licenses to possess any foreign liquor for personal consumption in the following cases :—

Community	Maximum quantity permitted to be possessed at a time.	Maximum quantity permitted to be possessed in a month	Conditions for grant of licences
1. Non-domiciled Europeans of all ages.	4 Units	8 Units	Without production of medical certificates.
2. Domiciled Europeans, non-domiciled Indian Jews, non-domiciled Chinese and non-domiciled other Asiatics of all ages.	3 Units	6 Units	Do
3. Anglo-Indians, Parsees and Jews above 45 years of age.	2 Units	4 Units	On production of a medical certificate showing the age of the applicant and the particular ailment which necessitates him to take alcoholic drinks, from a Government Medical Officer not below the rank of Assistant Surgeon.
4. Indians above 55 years of age.	2 Units	4 Units	Do
5. Residents of areas in which possession of liquors is not prohibited who tour in the Bowringpet Taluk (of all communities and of all ages).	2 Units	Not restricted	Without production of medical certificate.

N. B.—(1) One Unit represents 1 Qt. bottle of whisky or other spirits including liquor or 3 Qt. bottles of wine or vermouth or 12 Qt. bottles of beer or cider.

(2) Such licenses are granted only to persons who are addicted to drink or who require liquor on medical grounds.

3. Residents of Bowringpet Taluk in which possession of liquor is prohibited who desire to obtain licenses should apply to the Deputy Commissioner, Kolar District. Each application should show the name of the applicant, his correct address and the community to which he belongs, the grounds on which the license is required and the number of quart or pint bottles of each kind of liquor required by the applicant. The licenses will be issued in Forms I and II appended to this notification and subject to the conditions specified therein.

4. (i) All license holders should obtain their liquor from places outside Bowringpet Taluk or from non-proprietory clubs licensed under this notification, of which they are members.

(ii) The Excise Commissioner in Mysore may grant licenses to non-proprietory clubs in Bowringpet Taluk (which are predominantly European) in Form III appended to this notification and subject to the conditions specified therein.

(1) The Secretaries of such clubs should apply to the Deputy Commissioner, Kolar District, who will forward these applications to the Excise Commissioner, stating the quantity to be possessed at any one time for supply to members under the license while granting the license, the Excise Commissioner fixes the quantity that can be possessed by the club at a time.

(2) These clubs are authorised to supply liquor only to such of their members as hold licenses for possession of liquor for personal consumption. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided, only liquor bottled and sealed may be removed from the premises.

(iii) The Deputy Commissioner, Kolar District, may grant licenses to persons to possess and use opium for personal consumption under the conditions specified below :—

(*a*) An applicant who desires to obtain licenses for possession and use of opium should apply to the Deputy Commissioner, Kolar District, furnishing the name, correct address, the age and community to which he belongs, the grounds on which the permit is required and the

maximum quantity of opium required for consumption in a month.

(*b*) Opium will not be issued to persons below 20 years of age.

(*c*) In support of the application for the grant of opium, a certificate from a medical officer not below the rank of an Assistant Surgeon certifying to the need for the issue of opium and the quantity that may be issued per month should be produced.

(*d*) The maximum quantity of opium that can be issued to each addict is fixed at 4 tolas per month.

(iv) The Deputy Commissioner, Kolar District, may also grant licenses and permits in Bowringpet Taluk for purposes specified below and under the conditions specified in the respective licenses :—

	Description of license or permit	*Form No. in Annexure*
1.	License for the sale of brandy and medicated wines and similar preparations by Chemists ...	IV
2.	Licenses to a Medical Practitioner for the possession and use of brandy for medicinal purposes ...	V
3.	License to Medical Officers in charge of Hospitals for the possession and use of brandy for medicinal purposes in Hospitals ...	VI
4.	License for the manufacture of *bona fide* medicinal preparations containings ganja or Bhang ...	VII
5.	License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Brandy ...	VIII
6.	For the possession, use and issue of sacramental wine	IX

SYED ABDUL ALEEM,

Revenue Secretary.

FORM I.

License to possess for personal consumption bottled foreign liquor.

WHEREAS
has applied for a license authorising him/her to possess for personal consumption liquor and to that extent exempt him/her from the Government Notification No. dated June 1948.

And whereas the Deputy Commissioner, District, is satisfied that there is good reason for so exempting him/her and granting him/her a license and that he/she will not misuse such license.

Now, therefore, the Deputy Commissioner, District, hereby permits the said while residing in the area in which prohibition is in force to possess bottled foreign liquor for his/her personal consumption from to (inclusive) subject to the following conditions to be observed by him/her.

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below.* The license holder may, however, entertain, any other holder of a similar license with liquor.

2. The quantity that may be possessed under the license shall not exceed units at any time subject to a maximum of units in a month.

3. The liquor that may be possessed under this license shall be obtained from places situated outside the areas in which Government Notification No. dated is in force provided that such Club holds a license for supply of foreign liquor to its members and the license holder is a member of such Club. No liquor shall be obtained from places outside the prohibition areas except under an import permit granted by the Deputy Commissioner of the District or under a permit granted under the Mysore Excise Act, V of 1901. Such permits shall not be granted except on prepayment of fees prescribed from time to time by Government under the Mysore Excise Act.

4. Every consignment of liquor imported by the license-holder from any place within the Mysore State situated outside the area in which the Government Notification No. dated is in force shall be accompanied by an import permit granted by the Deputy Commissioner, District.

5. All bills of purchase of foreign liquor by the license-holder shall be preserved by him/her and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Police Inspector or Excise Inspector.

6. The license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning any reasons therefor.

7. The license-holder shall pay an annual fee that may be prescribed by Government.

Deputy Commissioner,
District.

Dated 194 .

NOTE.—*One unite represents one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of Beer or Cider.

FORM II.

License granted on medical grounds to persons permanently residing in the Prohibition Areas to possess for personal consumption bottled Foreign Liquor.

Whereas
has applied on medical ground for a license authorising him to possess for personal consumption liquor and to that extent to exempt him from the operation of Government Notification No.
dated June 1948.

And whereas the Deputy Commissioner District, is satisfied that there is good reason for so exempting him and granting him a license and that he will not misuse such license;

Now, therefore, the Deputy Commissioner District hereby permits the said while residing in in which Government Notification No. dated is in force (hereinafter referred to as a Prohibition Area) to possess bottled foreign liquor for his personal consumption from (inclusive) subject to the following conditions to be observed by him :—

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below. The license holder should not entertain any other person with liquor.

2. The liquor that may be possessed under this license shall be obtained from places situated outside the Prohibition Areas.

3. The quantity that may be obtained under this license shall not exceed units in a month and the quantity that may be possessed under this license at a time shall not exceed units.

4. Every consignment of liquor imported by the license holder from any place within the Mysore State outside any Prohibition area shall be accompanied by an import pass granted by the Deputy Commissioner of the District. The import pass is necessary even if the license holder accompanies the consignment.

5. No liquor shall be obtained from places outside the State except under a separate permit granted by the Deputy Commissioner or under a permit granted under the Mysore Excise Act. Such permit shall not be granted except on prepayment of a fee prescribed by Government and notified from time to time.

6. When applying to the Deputy Commissioner for an import pass or permit to obtain liquor the license holder shall send this license along with his application and the Deputy Commissioner shall make a note on the reverse of this license, the date of issue of the import pass or permit and the quantity covered by such pass or permit.

7. All bills of purchase of foreign liquor by the license holder shall be preserved by him and shall be produced for inspection on demand by any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector.

8. This license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning reasons therefor

9. The license holder shall pay an annual fee prescribed by Government from time to time.

10. The license holder shall also, if required, by the Deputy Commissioner at any time during the currency of the license, deposit with the Deputy Commissioner in cash or Government Promissory Notes, such sum as may be prescribed by the Deputy Commissioner as security for the due observance of the conditions of the license. In case of non-observance of the terms of the license, the security so taken shall be forfeited to Government.

Deputy Commissioner,
District.

Place
Dated 19 ,}

NOTE.—One Unit means one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

FORM III.

License for the Possession of Foreign Liquor by Non-proprietary Club for supply to Members.

WHEREAS
in the District of has applied for a license to possess liquor and to issue it to such of its members as hold permits authorising them to consume the same, and to that extent to exempt it from the operation of Government Notification No.
dated

And whereas the Excise Commissioner in Mysore is satisfied that there is good reason for so exempting such Club and granting it a license and that the Club will not misuse such license;

Now, therefore, the Excise Commissioner in Mysore, hereby licenses the aforesaid to possess foreign liquor for supply to the members of the Club during the year ending subject to the conditions to be observed by the Club.

1. The privilege extends to the possession of foreign liquor only subject to the limits prescribed below :—

Foreign liquor, if imported in wooden receptacles may be bottled by the licensee in the premises of the club;

2. Liquor shall be supplied only to the members of the Club who hold permits for the possession of such liquor. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided that only liquor bottled and sealed may be removed from the premises.

3. The quantity that may be possessed under the license shall not exceed at any time.

One Unit represents one quart bottle of whisky or other spirit including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

4. The Club shall obtain its requirements of foreign liquor from places outside the areas in which the Government Notification No. dated 194 is

in force and no liquor shall be obtained from places outside the Mysore State except under an import pass granted by the Deputy Commissioner, District or under a permit granted under the Mysore Excise Act. Such permits shall not be granted except on prepayment of a permit fee prescribed by Government, from time to time (in addition to the fee mentioned in condition 9).

5. Every consignment of liquor imported by the Club from any place within the Mysore State situated outside the area in which prohibition is in force, shall be accompanied by an import pass granted by the Deputy Commissioner.

6. All bills of purchase of foreign liquor shall be preserved by the Club and produced for inspection on the demand of any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector. An account shall be maintained showing receipts of liquor and issues to each license holder.

7. The Secretary or other person in charge of the management of the club shall be responsible for the due observance of the conditions of the license.

8. The license may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

9. The grant of the license is subject to the payment of a fee prescribed by Government and notified from time to time.

10. The Secretary or other persons in charge of the Management of the Club shall also submit to the Deputy Commissioner on or before the 5th Day of every month, a statement in the following form showing the quantity of liquor supplied in sealed bottles to members during the preceding month :—

(1) Name of Member

(2) Qnantity and description of bottled liquor issued each time;

(3) Date of supply.

Place Deputy Commissioner,

Dated 194 . District.

FORM IV.

License for the Sale of Brandy and Medicated Wines and similar preparations by Chemists

I, the Deputy Commissioner of.....District, hereby license you to sell brandy imported from foreign countries and medicated wines and similar preparations containing any percentage of alcohol, in your shop at.....during the period .....subject to the following conditions and stipulations to be observed by you.

Explanation.—In this license, the expression 'medicated wines and similar preparations' shall be taken to include all ayurvedic preparations going by the name of 'arishtas' and 'asavas' and all other

preparations in the manufacture of which alcohol is produced by fermentation during the process of manufacture and not by the addition of a cultivated fermenting agent.

(1) The privilege extends only to the sale by chemists on the prescription of a qualified medical practitioner, of brandy either as an ingredient of a mixture or by itself in quantities of not more than two ounces at a time and of medicated wines and similar preparations containing any percentage of alcohol, in sealed bottles in quantities not exceeding one quart at a time.

(2) All brandy and medicated wines and similar preparations sold under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(3) Every consignment of brandy and medicated wines and similar preparations imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(4) True accounts of transactions shall be maintained from day to day in ink in Form A below and shall be preserved for one year after the period covered by the license and shall be produced when called for by the Deputy Commissioner or by any officer authorised by him.

(5) No privilege of supply or sale shall be sold, transferred or sub-rented. nor shall any agent be appointed for the management of any such privilege without the Deputy Commissioner's approval.

(6) An inspection note book in Form B below for Inspecting Officers to enter their remarks shall be maintained and be handed over on demand to any officer authorised by the Deputy Commissioner to receive it on a receipt being given therefore.

(7) Pecuniary dealings of any kind whatever by licensee with any officer of Government are absolutely prohibited.

(8) The licensee shall in addition to the payment of a fixed annual license fee prescribed by Government also pay a permit fee on each permit applied for by him.

(9) If required by the Deputy Commissioner, before the issue of or at any time during the currency of the license, the licensee shall deposit with the Deputy Commissioner in cash or Government Promissory Notes such sum as the Deputy Commissioner may prescribe not exceeding the gallonage fees as estimated by the Deputy Commissioner for a period of three months as security for the due observance of the conditions of the license and the prompt payment of the gallonage fees.

(10) With the sanction of the Excise Commissioner in Mysore, the Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee fifteen days' notice of such revocation in which case a proportionate part of the fees will be refunded to the licensee.

ANNEXURE.

FORM A.

Account of brandy and medicated wines and similar preparations containing any percentage of alcohol received and sold by chemists under license No.....of.....

Date	Opening balance		Quantity received		Source of supply	Total quantity on..... received		Quantity sold unmixed (each transaction).				Quantity sold in mixture (each transaction)	Prescription.		Total sold each day				Closing balance		
	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Number and date of letter or advice of each bill	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations whose alcoholic conten is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit.	Brandy	Number and date	Name of medical practitioner	Brandy	Medicated wines and similar preparations whose alcoholic content is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of pr. of spirit.	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit	Total medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

FORM B.

Inspection Note Book.

Shop/Depot No.	Year	Quantity sold/used	Licensee's Name
Village ...			
Taluk ...			
District ...			
Circle ...			
Station ...			

(one page ruled).

This book is the property of Government and must be returned to the Inspector of Police,.....Station, on the expiry of the period of license.

Monthly sale/consumption ... { Maximum stock..... Minimum stock.....

Month	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer
April ...				
May ...				
June ...				
July ...				
August ...				
September				
October ...	(Six	pages)	(four	pages)
November				
December				
January ...				
February ...				
March ...				

Remarks.—Punishments inflicted on the licensee (*a*) date of offence, (*b*) date of judgment or order, (*c*) by whom inflicted, (*d*) number of case or order, (*e*) nature of offence and (*f*) punishment.

FORM V.

License to a Medical Practitioner for the possession and use of Brandy for Medicinal purposes.

I, the Deputy Commissioner of.....District, hereby license you.....to possess brandy imported from foreign countries, during the period..... ..subject to the following conditions and stipulations to be observed by you the said..... :—

(1) The privilege extends to the position of brandy for medicinal purposes only.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the Notification applies or from such other source as the Excise Commissioner in Mysore may approve subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the Notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy by the licensee shall be preserved by him and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Mysore Excise Act and the Notification No.....dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VI.

License to Medical Officers in charge of Hospitals for the possession and use of Brandy for medicinal purposes in Hospitals.

I, ...the Deputy Commissioner of..... District, hereby license you.....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you:—

(1) The privilege extends to the possession of brandy for *bona fide* medicinal purposes only, for use in the..... hospital.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner or by any other medical practitioner working in the hospital in his capacity as such and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy shall be preserved by the licensee and produced for inspection on the demand of an officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Notification No. ..... dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VII.

License for the manufacture of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of .....District, hereby license..... (herein called the licensee) to manufacture medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at .... during the period..... subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the manufacture of only the following preparations (hereinafter called the said preparations) :—

Serial No.	*Name of preparation*	*Percentage of ganja or bhang.*
1		
2		
3 &c.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act and the Notification No..... dated..... and the rules, orders made or issued thereunder.

(3) Supplies of ganja or bhang for the manufacture of the said preparations shall, if obtained within the areas in which the Mysore Excise Act is in force, be obtained only from a Taluk Office and transported to the licensed premises only under a permit granted by the Amildar, Taluk Head Accountant or Deputy Amildar.

(4) Every consignment of ganja or bhang imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(5) No quantity exceeding ..... ganja or bhang shall be possessed by the licensee at any one time.

(6) The licensee shall not keep ganja or bhang or manufacture any of the said preparations therefrom except in the licensed premises.

(7) The sale of ganja or bhang, or its use for other than the manufacture of the said preparations is absolutely prohibited.

(8) The licensee shall indicate on the bottle or other receptacle containing the preparations manufactured by him the proportion of ganja or bhang mixed in the preparations.

(9) The licensee shall not sell or otherwise dispose of the said preparations within the areas in which the Mysore Excise Act is in force, except to a person licensed to possess and sell the same.

(10) The licensee shall maintain true accounts of transactions under the license in the appended form. Permits obtained from a Taluk Office shall be carefully filled in support of the accounts. The accounts and permits shall be preserved for a period of two years. All stock of ganja or bhang and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(11) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(12) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(13) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,
.....*District.*

Station.....
Date.....

Form of Account to be maintained by Licensees manufacturing medicinal preparations containing Ganja or Bhang.

	Ganja or Bhang				Medicinal preparations			
Month and date	Opening balance	Quantity received this day, whence received and number and date of permit	Quantity issued for manufacture of medicinal preparations	Balance in stock	Opening balance	Quantity manufactured this day	Quantity received this day	Quantity sold
	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.

FORM VIII.

License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of.....District, hereby license.....(hereinafter called the licensee) to sell medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at.....during the period .....subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the possession for sale and sale of only the following preparations (hereinafter called the said preparations) :—

Serial No.	Name of preparation	Percentage of ganja or bhang.
1.		
2.		
3. etc.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act, and the rules, orders and notifications made or issued thereunder.

(3) The said preparations shall not be sold except on prescription duly signed by a registered medical practitioner in Indian medicine or if the licensee is himself a registered medical practitioner in Indian medicine, on prescription duly signed by him.

(4) The said preparations shall, if obtained within an area in which the Mysore Excise Act is in force, be obtained only from a person who has been licensed to manufacture or sell such preparations.

(5) Every consignment of the said preparations imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) The licensee shall not keep for sale or sell the said preparations except on the licensed premises.

(7) The licensee shall maintain true accounts of transactions under the license in the appended form. The accounts and prescriptions shall be preserved for a period of two years. All stock of the said preparations and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police Department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(8) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(9) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(10) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,

.....*District.*

Station.....

Date.....

Form of Account to be maintained by Licensees possessing and selling preparations containing Ganja or Bhang.

Opening Balance	Quantity received this day and whence received	Quantity sold	Prescription	
			Number and date	Name of medical practitioner
S. T.	S. T.	S. T.		

FORM IX.

Sacramental Wine—Authority No. I.

Authority for the possession, use and issue of sacramental wine for the year.....

To the Bishop of.....

The Bishop of.....or his successor in office is hereby authorised to possess and use for religious purposes sacramental wine in casks or in bottles and to issue the same to the priests within his jurisdiction or to any visiting priest of the community for religious purposes in accordance with ancient custom subject to the following conditions :—

(1) Wine shall be issued for sacramental purposes only and under the personal control of the Bishop, to priests who hold authorities for its possession and use or to visiting priests from areas to which the Notification No..... dated..... .....has not been extended, who stand in need of wine for sacramental purposes, and to none else or for any other purpose.

(2) Wine issued under the terms of this authority may be transported under a covering certificate issued by the Bishop.

(3) All requirements of wine shall be obtained from places outside the areas in which the said Notification is in force and no wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act under Section 6. Such authority shall not be granted except on prepayment of a gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(4) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(5) All bills for the purchase of wine shall be preserved and produced for inspection on demand by any Excise Officer not below the rank of District Excise Officer or by any police officer not below the rank of District Superintendent of Police. An account shall be maintained of all receipts and all expenditure and issues of wine.

(6) This authority should be used only for the purpose for which it is issued. Neither this authority nor the liquor covered by it should by carelessness or otherwise be permitted to be used by any one for other purposes. Abuse should be carefully guarded against.

(7) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

Sacramental Wine—Authority No. II.

Authority for the possession and use of sacramental wine for the year.....

To..... .....of.....or his successor in office, residing at.....is hereby authorised to possess wine for use only for religious purposes in accordance with ancient custom subject to the following conditions:—

(1) The wine that may be possessed under this authority shall be obtained from the Bishop of.....District / places situated outside the areas in which the prohibition is in force.

No wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act..... Such authorities shall not be granted except on prepayment of gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(2) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(3) All bills for the purchase and all advices for the receipt of wine shall be preserved and produced for inspection on the demand by any Revenue Officer not below the rank of Deputy Amildar or by any Police officer not below the rank of Inspector or by an Excise Inspector.

(4) An account shall be maintained of all receipts and expenditure of wine under this authority and shall be produced on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(5) This authority should be used only for the purpose for which it is issued. Neither this authortiy nor the liquor covered by it should by carelesness or otherwise be permitted to be used by any one for other purposes and abuse should be carefully guarded against.

(6) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

No. A. F. 225—Agri. 227-47-4, dated Bangalore, 20th July 1948.

In the last paragraph of Government Notification No. A. F. 5625—Agri. 227-47-2, dated 4th June 1948, which has been published in Part IV of the *Mysore Gazette*, dated 10th June 1948, in regard to the sale of "M. A. V." cotton in the State, the word "Hassan" will be added after "Chitaldrug."

The para will then read as follows:—

"This Notification shall apply to the Districts of Chitaldrug, Hassan, Mandya, Chikmagalur and Mysore and shall remain in force for a period of five years."

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. S. R. 5094—Ex. 86-47-5, dated 7th June 1948.

Under Sections 9 and 13-A of the Mysore Excise Act, V of 1901, as amended from time to time and under Section 5 of the Opium Act, as applied to Mysore and under Rule III (1) of the Opium Rules as amended by Notification No. Fl. 8381—Ex. 122-40-2, dated 17th June 1941, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are hereby pleased to prohibit the possession and transport of toddy, arrack, ganja, opium (raw) or prepared special liquors, foreign liquors, foreign or country beer, by any person in Bowringpet Taluk, Kolar District, except in the cases and subject to the conditions specified hereunder:—

2. (1) The Deputy Commissioner, Kolar District,

may grant licenses to possess any foreign liquor for personal consumption in the following cases :—

Community	Maximum quantity permitted to be possessed at a time.	Maximum quantity permitted to be possessed in a month	Conditions for grant of licences
1. Non-domiciled Europeans of all ages.	4 Units	8 Units	Without production of medical certificates.
2. Domiciled Europeans, non-domiciled Indian Jews, non-domiciled Chinese and non-domiciled other Asiatics of all ages.	3 Units	6 Units	Do
3. Anglo-Indians, Parsees and Jews above 45 years of age.	2 Units	4 Units	On production of a medical certificate showing the age of the applicant and the particular ailment which necessitates him to take alcoholic drinks, from a Government Medical Officer not below the rank of Assistant Surgeon.
4. Indians above 55 years of age.	2 Units	4 Units	Do
5. Residents of areas in which possession of liquors is not prohibited who tour in the Bowringpet Taluk (of all communities and of all ages).	2 Units	Not restricted	Without production of medical certificate.

N. B.—(1) One Unit represents 1 Qt. bottle of whisky or other spirits including liquor or 3 Qt. bottles of wine or vermouth or 12 Qt. bottles of beer or cider.

(2) Such licenses are granted only to persons who are addicted to drink or who require liquor on medical grounds.

3. Residents of Bowringpet Taluk in which possession of liquor is prohibited who desire to obtain licenses should apply to the Deputy Commissioner, Kolar District. Each application should show the name of the applicant, his correct address and the community to which he belongs, the grounds on which the license is required and the number of quart or pint bottles of each kind of liquor required by the applicant. The licenses will be issued in Forms I and II appended to this notification and subject to the conditions specified therein.

4. (i) All license holders should obtain their liquor from places outside Bowringpet Taluk or from non-proprietory clubs licensed under this notification, of which they are members.

(ii) The Excise Commissioner in Mysore may grant licenses to non-proprietory clubs in Bowringpet Taluk (which are predominantly European) in Form III appended to this notification and subject to the conditions specified therein.

(1) The Secretaries of such clubs should apply to the Deputy Commissioner, Kolar District, who will forward these applications to the Excise Commissioner, stating the quantity to be possessed at any one time for supply to members under the license while granting the license, the Excise Commissioner fixes the quantity that can be possessed by the club at a time.

(2) These clubs are authorised to supply liquor only to such of their members as hold licenses for possession of liquor for personal consumption. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided, only liquor bottled and sealed may be removed from the premises.

(iii) The Deputy Commissioner, Kolar District, may grant licenses to persons to possess and use opium for personal consumption under the conditions specified below :—

(*a*) An applicant who desires to obtain licenses for possession and use of opium should apply to the Deputy Commissioner, Kolar District, furnishing the name, correct address, the age and community to which he belongs, the grounds on which the permit is required and the

maximum quantity of opium required for consumption in a month.

(*b*) Opium will not be issued to persons below 20 years of age.

(*c*) In support of the application for the grant of opium, a certificate from a medical officer not below the rank of an Assistant Surgeon certifying to the need for the issue of opium and the quantity that may be issued per month should be produced.

(*d*) The maximum quantity of opium that can be issued to each addict is fixed at 4 tolas per month.

(iv) The Deputy Commissioner, Kolar District, may also grant licenses and permits in Bowringpet Taluk for purposes specified below and under the conditions specified in the respective licenses .—

	Description of license or permit	*Form No. in Annexure*
1.	License for the sale of brandy and medicated wines and similar preparations by Chemists ...	IV
2.	Licenses to a Medical Practitioner for the possession and use of brandy for medicinal purposes ...	V
3.	License to Medical Officers in charge of Hospitals for the possession and use of brandy for medicinal purposes in Hospitals ...	VI
4.	License for the manufacture of *bona fide* medicinal preparations containings ganja or Bhang ...	VII
5.	License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Brandy ...	VIII
6.	For the possession, use and issue of sacramental wine	IX

SYED ABDUL ALEEM,

Revenue Secretary.

FORM I.

License to possess for personal consumption bottled foreign liquor.

WHEREAS
has applied for a license authorising him/her to possess for personal consumption liquor and to that extent exempt him/her from the Government Notification No. dated June 1948.

And whereas the Deputy Commissioner, District, is satisfied that there is good reason for so exempting him/her and granting him/her a license and that he/she will not misuse such license.

Now, therefore, the Deputy Commissioner, District, hereby permits the said while residing in the area in which prohibition is in force to possess bottled foreign liquor for his/her personal consumption from to (inclusive) subject to the following conditions to be observed by him/her.

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below.* The license holder may, however, entertain, any other holder of a similar license with liquor.

2. The quantity that may be possessed under the license shall not exceed units at any time subject to a maximum of units in a month.

3. The liquor that may be possessed under this license shall be obtained from places situated outside the areas in which Government Notification No. dated is in force provided that such Club holds a license for supply of foreign liquor to its members and the license holder is a member of such Club. No liquor shall be obtained from places outside the prohibition areas except under an import permit granted by the Deputy Commissioner of the District or under a permit granted under the Mysore Excise Act, V of 1901. Such permits shall not be granted except on prepayment of fees prescribed from time to time by Government under the Mysore Excise Act.

4. Every consignment of liquor imported by the license-holder from any place within the Mysore State situated outside the area in which the Government Notification No. dated is in force shall be accompanied by an import permit granted by the Deputy Commissioner, District.

5. All bills of purchase of foreign liquor by the license-holder shall be preserved by him/her and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Police Inspector or Excise Inspector.

6. The license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning any reasons therefor.

7. The license-holder shall pay an annual fee that may be prescribed by Government.

Deputy Commissioner,
District.

Dated 194 .

NOTE.—*One unite represents one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of Beer or Cider.

FORM II.

License granted on medical grounds to persons permanently residing in the Prohibition Areas to possess for personal consumption bottled Foreign Liquor.

Whereas
as applied on medical ground for a license authorising him to possess for personal consumption liquor and to that extent to exempt him from the operation of Government Notification No.
dated June 1948.

And whereas the Deputy Commissioner District, is atisfied that there is good reason for so exempting him and granting im a license and that he will not misuse such license;

Now, therefore, the Deputy Commissioner District hereby permits the said while residing in in which Government Notification No. dated is in force (hereinafter referred to as a Prohibition Area) to possess bottled foreign liquor for his personal consumption from (inclusive) subject to the following conditions to be observed by him :—

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below. The license holder should not entertain any other person with liquor.

2. The liquor that may be possessed under this license shall be obtained from places situated outside the Prohibition Areas.

3. The quantity that may be obtained under this license shall not exceed units in a month and the quantity that may be possessed under this license at a time shall not exceed units.

4. Every consignment of liquor imported by the license holder from any place within the Mysore State outside any Prohibition area shall be accompanied by an import pass granted by the Deputy Commissioner of the District. The import pass is necessary even if the license holder accompanies the consignment.

5. No liquor shall be obtained from places outside the State except under a separate permit granted by the Deputy Commissioner or under a permit granted under the Mysore Excise Act. Such permit shall not be granted except on prepayment of a fee prescribed by Government and notified from time to time.

6. When applying to the Deputy Commissioner for an import pass or permit to obtain liquor the license holder shall send this license along with his application and the Deputy Commissioner shall make a note on the reverse of this license, the date of issue of the import pass or permit and the quantity covered by such pass or permit.

7. All bills of purchase of foreign liquor by the license holder shall be preserved by him and shall be produced for inspection on demand by any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector.

8. This license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning reasons therefor

9. The license holder shall pay an annual fee prescribed by Government from time to time.

10. The license holder shall also, if required, by the Deputy Commissioner at any time during the currency of the license, deposit with the Deputy Commissioner in cash or Government Promissory Notes, such sum as may be prescribed by the Deputy Commissioner as security for the due observance of the conditions of the license. In case of non-observance of the terms of the license, the security so taken shall be forfeited to Government.

Deputy Commissioner,
District.

Place
Dated 19 ,

NOTE.—One Unit means one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

FORM III.

License for the Possession of Foreign Liquor by Non-proprietary Club for supply to Members.

WHEREAS
in the District of has applied for a license to possess liquor and to issue it to such of its members as hold permits authorising them to consume the same, and to that extent to exempt it from the operation of Government Notification No.
dated

And whereas the Excise Commissioner in Mysore is satisfied that there is good reason for so exempting such Club and granting it a license and that the Club will not misuse such license;

Now, therefore, the Excise Commissioner in Mysore, hereby licenses the aforesaid to possess foreign liquor for supply to the members of the Club during the year ending subject to the conditions to be observed by the Club.

1. The privilege extends to the possession of foreign liquor only subject to the limits prescribed below :—

Foreign liquor, if imported in wooden receptacles may be bottled by the licensee in the premises of the club;

2. Liquor shall be supplied only to the members of the Club who hold permits for the possession of such liquor. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided that only liquor bottled and sealed may be removed from the premises.

3. The quantity that may be possessed under the license shall not exceed at any time.

One Unit represents one quart bottle of whisky or other spirit including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

4. The Club shall obtain its requirements of foreign liquor from places outside the areas in which the Government Notification No. dated 194 is

in force and no liquor shall be obtained from places outside the Mysore State except under an import pass granted by the Deputy Commissioner, District or under a permit granted under the Mysore Excise Act. Such permits shall not be granted except on prepayment of a permit fee prescribed by Government, from time to time (in addition to the fee mentioned in condition 9).

5. Every consignment of liquor imported by the Club from any place within the Mysore State situated outside the area in which prohibition is in force, shall be accompanied by an import pass granted by the Deputy Commissioner.

6. All bills of purchase of foreign liquor shall be preserved by the Club and produced for inspection on the demand of any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector. An account shall be maintained showing receipts of liquor and issues to each license holder.

7. The Secretary or other person in charge of the management of the club shall be responsible for the due observance of the conditions of the license.

8. The license may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

9. The grant of the license is subject to the payment of a fee prescribed by Government and notified from time to time.

10. The Secretary or other persons in charge of the Management of the Club shall also submit to the Deputy Commissioner on or before the 5th Day of every month, a statement in the following form showing the quantity of liquor supplied in sealed bottles to members during the preceding month :—

(1) Name of Member

(2) Quantity and description of bottled liquor issued each time;

(3) Date of supply.

Place Deputy Commissioner,

Dated 194 . District.

FORM IV.

License for the Sale of Brandy and Medicated Wines and similar preparations by Chemists

I, the Deputy Commissioner of.....District, hereby license you to sell brandy imported from foreign countries and medicated wines and similar preparations containing any percentage of alcohol, in your shop at.....during the period .....subject to the following conditions and stipulations to be observed by you.

Explanation.—In this license, the expression 'medicated wines and similar preparations' shall be taken to include all ayurvedic preparations going by the name of 'arishtas' and 'asavas' and all other

preparations in the manufacture of which alcohol is produced by fermentation during the process of manufacture and not by the addition of a cultivated fermenting agent.

(1) The privilege extends only to the sale by chemists on the prescription of a qualified medical practitioner, of brandy either as an ingredient of a mixture or by itself in quantities of not more than two ounces at a time and of medicated wines and similar preparations containing any percentage of alcohol, in sealed bottles in quantities not exceeding one quart at a time.

(2) All brandy and medicated wines and similar preparations sold under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(3) Every consignment of brandy and medicated wines and similar preparations imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(4) True accounts of transactions shall be maintained from day to day in ink in Form A below and shall be preserved for one year after the period covered by the license and shall be produced when called for by the Deputy Commissioner or by any officer authorised by him.

(5) No privilege of supply or sale shall be sold, transferred or sub-rented, nor shall any agent be appointed for the management of any such privilege without the Deputy Commissioner's approval.

(6) An inspection note book in Form B below for Inspecting Officers to enter their remarks shall be maintained and be handed over on demand to any officer authorised by the Deputy Commissioner to receive it on a receipt being given therefore.

(7) Pecuniary dealings of any kind whatever by licensee with any officer of Government are absolutely prohibited.

(8) The licensee shall in addition to the payment of a fixed annual license fee prescribed by Government also pay a permit fee on each permit applied for by him.

(9) If required by the Deputy Commissioner before the issue of or at any time during the currency of the license, the licensee shall deposit with the Deputy Commissioner in cash or Government Promissory Notes such sum as the Deputy Commissioner may prescribe not exceeding the gallonage fees as estimated by the Deputy Commissioner for a period of three months as security for the due observance of the conditions of the license and the prompt payment of the gallonage fees.

(10) With the sanction of the Excise Commissioner in Mysore, the Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee fifteen days' notice of such revocation in which case a proportionate part of the fees will be refunded to the licensee.

ANNEXURE.

FORM A.

Account of brandy and medicated wines and similar preparations containing any percentage of alcohol received and sold by chemists under license No.....of.....

Date	Opening balance		Quantity received		Source of supply	Total quantity on..... received		Quantity sold unmixed (each transaction).			Quantity sold in mixture (each transaction)	Prescription.		Total sold each day			Closing balance			
	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Number and date of letter or advice of each bill	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations whose alcoholic conten is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit.	Brandy	Number and date	Name of medical practitioner	Brandy	Medicated wines and similar preparations whose alcoholic content is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit.	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit	Total medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

FORM B.

Inspection Note Book.

Shop/Depot No.	Year	Quantity sold/used	Licensee's Name
Village ...			
Taluk ...			
District ...			
Circle ...			
Station ...			

(one page ruled).

This book is the property of Government and must be returned to the Inspector of Police,.....Station, on the expiry of the period of license.

Monthly sale/consumption ... { Maximum stock..... Minimum stock.....

Month	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer
April ...				
May ...				
June ...				
July ...				
August ...				
September				
October ...	(Six	pages)	(four	pages)
November				
December				
January ...				
February ...				
March ...				

Remarks.—Punishments inflicted on the licensee (*a*) date of offence, (*b*) date of judgment or order, (*c*) by whom inflicted, (*d*) number of case or order, (*e*) nature of offence and (*f*) punishment.

FORM V.

License to a Medical Practitioner for the possession and use of Brandy for Medicinal purposes.

I, the Deputy Commissioner of.....District, hereby license you.....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you the said..... :—

(1) The privilege extends to the position of brandy for medicinal purposes only.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the Notification applies or from such other source as the Excise Commissioner in Mysore may approve subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the Notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy by the licensee shall be preserved by him and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Mysore Excise Act and the Notification No.....dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VI.

License to Medical Officers in charge of Hospitals for the possession and use of Brandy for medicinal purposes in Hospitals.

I,.....the Deputy Commissioner of..... District, hereby license you.....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you:—

(1) The privilege extends to the possession of brandy for *bona fide* medicinal purposes only, for use in the..... hospital.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner or by any other medical practitioner working in the hospital in his capacity as such and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy shall be preserved by the licensee and produced for inspection on the demand of an officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Notification No.....dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VII.

License for the manufacture of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of .....District, hereby license..... (herein called the licensee) to manufacture medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at .... during the period..... subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the manufacture of only the following preparations (hereinafter called the said preparations) :—

Serial No.	*Name of preparation*	*Percentage of ganja or bhang.*
1		
2		
3 &c.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act and the Notification No..... dated.....and the rules, orders made or issued thereunder.

(3) Supplies of ganja or bhang for the manufacture of the said preparations shall, if obtained within the areas in which the Mysore Excise Act is in force, be obtained only from a Taluk Office and transported to the licensed premises only under a permit granted by the Amildar, Taluk Head Accountant or Deputy Amildar.

(4) Every consignment of ganja or bhang imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(5) No quantity exceeding ..... ganja or bhang shall be possessed by the licensee at any one time.

(6) The licensee shall not keep ganja or bhang or manufacture any of the said preparations therefrom except in the licensed premises.

(7) The sale of ganja or bhang, or its use for other than the manufacture of the said preparations is absolutely prohibited.

(8) The licensee shall indicate on the bottle or other receptacle containing the preparations manufactured by him the proportion of ganja or bhang mixed in the preparations.

(9) The licensee shall not sell or otherwise dispose of the said preparations within the areas in which the Mysore Excise Act is in force, except to a person licensed to possess and sell the same.

(10) The licensee shall maintain true accounts of transactions under the license in the appended form. Permits obtained from a Taluk Office shall be carefully filled in support of the accounts. The accounts and permits shall be preserved for a period of two years. All stock of ganja or bhang and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(11) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(12) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(13) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,
.....*District.*

Station.....
Date.....

Form of Account to be maintained by Licensees manufacturing medicinal preparations containing Ganja or Bhang.

	Ganja or Bhang				Medicinal preparations			
Month and date	Opening balance	Quantity received this day, whence received and number and date of permit	Quantity issued for manufacture of medicinal preparations	Balance in stock	Opening balance	Quantity manufactured this day	Quantity received this day	Quantity sold
	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.

FORM VIII.

License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of.....District, hereby license.....(hereinafter called the licensee) to sell medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at.....during the period .....subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the possession for sale and sale of only the following preparations (hereinafter called the said preparations) :—

Serial No.	Name of preparation	Percentage of ganja or bhang.
1.		
2.		
3. etc.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act, and the rules, orders and notifications made or issued thereunder.

(3) The said preparations shall not be sold except on prescription duly signed by a registered medical practitioner in Indian medicine or if the licensee is himself a registered medical practitioner in Indian medicine, on prescription duly signed by him.

(4) The said preparations shall, if obtained within an area in which the Mysore Excise Act is in force, be obtained only from a person who has been licensed to manufacture or sell such preparations.

(5) Every consignment of the said preparations imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) The licensee shall not keep for sale or sell the said preparations except on the licensed premises.

(7) The licensee shall maintain true accounts of transactions under the license in the appended form. The accounts and prescriptions shall be preserved for a period of two years. All stock of the said preparations and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police Department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(8) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(9) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(10) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,

.....*District.*

Station.....

Date.....

Form of Account to be maintained by Licensees possessing and selling preparations containing Ganja or Bhang.

Opening Balance	Quantity received this day and whence received	Quantity sold	Prescription	
			Number and date	Name of medical practitioner
S. T.	S. T.	S. T.		

FORM IX.

Sacramental Wine—Authority No. I.

Authority for the possession, use and issue of sacramental wine for the year.....

To the Bishop of.....

The Bishop of.....or his successor in office is hereby authorised to possess and use for religious purposes sacramental wine in casks or in bottles and to issue the same to the priests within his jurisdiction or to any visiting priest of the community for religious purposes in accordance with ancient custom subject to the following conditions :—

(1) Wine shall be issued for sacramental purposes only and under the personal control of the Bishop, to priests who hold authorities for its possession and use or to visiting priests from areas to which the Notification No..... dated..... .....has not been extended, who stand in need of wine for sacramental purposes, and to none else or for any other purpose.

(2) Wine issued under the terms of this authority may be transported under a covering certificate issued by the Bishop.

(3) All requirements of wine shall be obtained from places outside the areas in which the said Notification is in force and no wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act under Section 6. Such authority shall not be granted except on prepayment of a gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(4) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(5) All bills for the purchase of wine shall be preserved and produced for inspection on demand by any Excise Officer not below the rank of District Excise Officer or by any police officer not below the rank of District Superintendent of Police. An account shall be maintained of all receipts and all expenditure and issues of wine.

(6) This authority should be used only for the purpose for which it is issued. Neither this authority nor the liquor covered by it should by carelessness or otherwise be permitted to be used by any one for other purposes. Abuse should be carefully guarded against.

(7) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

Sacramental Wine—Authority No. II.

Authority for the possession and use of sacramental wine for the year.....

To..... .....of.....or his successor in office, residing at.....is hereby authorised to possess wine for use only for religious purposes in accordance with ancient custom subject to the following conditions:—

(1) The wine that may be possessed under this authority shall be obtained from the Bishop of..... .....District / places situated outside the areas in which the prohibition is in force.

No wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act..... Such authorities shall not be granted except on prepayment of gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(2) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(3) All bills for the purchase and all advices for the receipt of wine shall be preserved and produced for inspection on the demand by any Revenue Officer not below the rank of Deputy Amildar or by any Police officer not below the rank of Inspector or by an Excise Inspector.

(4) An account shall be maintained of all receipts and expenditure of wine under this authority and shall be produced on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(5) This authority should be used only for the purpose for which it is issued. Neither this authortiy nor the liquor covered by it should by carelesness or otherwise be permitted to be used by any one for other purposes and abuse should be carefully guarded against.

(6) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

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EXTRAORDINARY

BANGALORE, MONDAY, AUGUST 2, 1948.

NOTIFICATION.

No. Fl. 1344, dated Bangalore, the 2nd August 1948.

The following draft of the rules which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by Section 25 of the Mysore Sales Tax Act, 1948, is hereby published for the information of all persons likely to be affected thereby as required by sub-section (4) of Section 25 of the said Act.

Notice is hereby given that the draft rules will be taken into consideration after four weeks from the date of publication of this notification in the Gazette.

Objections or suggestions, if any to the proposed draft may be sent to the Legal Remembrancer and Secretary to Government, Law Department, Public Offices, Bangalore, through the Commissioner of Income-tax in Mysore, Bangalore, for consideration, so as to reach him within the aforesaid period.

RULES UNDER THE MYSORE SALES TAX ACT, 1948.

RULES.

Part I—Preliminary.

1. These rules may be called the Mysore Sales Tax Rules, 1948. Short Title.

2. They shall come into force on the 1st day of September 1948. Commencement.

Definitions.

3. In these rules, unless there is anything repugnant in the subject or context—

(a) "the Act" means the Mysore Sales Tax Act, 1948;

(b) "Assistant Sales Tax Officer" means any person appointed by the Government by name or by virtue of his office, to exercise the powers of an Assistant Sales Tax Officer;

(c) "Sales Tax Officer" means any person appointed by the Government by name or by virtue of his office, to exercise the powers of a Sales Tax Officer;

(d) "Deputy Commissioner of Sales Tax" means any person appointed by the Government, by name or by virtue of his office, to exercise the powers of a Deputy Commissioner of Sales Tax;

(e) "Form" means a form appended to these rules;

(f) "Government treasury" means in relation to a dealer registered within the jurisdiction of any Sales Tax Officer, the treasury of the district or taluk where the dealear's place of business or, if he has more than one such place, where his chief place of business, within that jurisdiction is situated;

(g) "Place of business" means any place where a dealer sells any goods or keeps accounts of sales;

(h) "Licensing authority" means the authority compe, tent to issue licenses under Sections 5, 6 and 9;

(i) "Month" means a calendar month;

(j) "Quarter" means a quarter ending on the 30th September, 31st December, 31st March or 30th June; and

(k) "Section" means a section of the Act.

Definition of person dealing exclusively in cloth woven on handlooms wholly with handspun yarn.

4. For the purposes of these rules a person who deals in cloth woven on handlooms wholly with handspun yarn and other goods which are not cloth of any other description, shall be deemed to be a person dealing exclusively in cloth woven on handlooms wholly with handspun yarn in so far as his dealings in cloth are concerned.

Part II—Licenses.

Persons entitled to licenses.

5. (1) Every person who—

(a) deals in cotton and/or cotton yarn other than handspun yarn and/or handspun yarn, or

(b) deals exclusively in cloth woven on handlooms wholly with handspun yarn, or

(c) deals in cloth woven on handlooms wholly or partly with mill yarn, or

(d) deals in bullion and/or specie, or

(e) deals in hides and/or skins whether as a tanner or otherwise, or

(f) for an agreed commission or brokerage, buys and for sells goods of any description on behalf of known principals,

shall, if he desires to avail himself of the exemption provided in Sections 5 and 9 or of the concession of taxation only at a single point or of taxation at the rate specified in Section 5, submit an application in Form I for a license in respect of each of his places of business to the authority specified in sub-rule (2) so as to reach him not later than the 15th day of September 1948:

Provided that in the case of a business which is commenced after the 1st day of September 1948, the dealer shall submit the application for the license to such authority so as to reach him not later than fifteen days from the date of commencement of his business.

NOTE.—*The agent of a person* (including a firm) *outside Mysore* is in respect of transactions on behalf of such person a dealer for all the purposes of the Act and the rules made thereunder and is *not eligible for a license* under Section 9 in respect of such transactions.

(2) The application shall be submitted—

(i) to the assessing authority if the applicant is liable to tax or taxes under the provisions of the Act and the rules made thereunder, and

(ii) to the Assistant Sales Tax Officer having jurisdiction over the principal place of business, in *other cases*.

Licenses how issued.

6. (1) Every license shall cover one place of business only and shall expire on the 30th day of June of the year in respect of which it is granted, but may be renewed for periods not exceeding one year at a time on receipt of an application from the licensee.

(2) Notwithstanding anything contained in sub-rule (1), a license shall, in addition to the licensee's place of business, cover such shandies as may be entered in the license, provided (that the said shandies shall be within the district in which the licensee's place of business is situated and) that the turnover at the said shandies shall be included in the turnover at the licensee's place of business.

(3) Every application for renewal shall be submitted in Form I so as to reach the licensing authority not later than the 31st July of the year for which the renewal is required.

(4) if an application for the grant or renewal of a license is received after the date prescribed therefor, the license shall not ordinarily be granted or renewed with effect from a date prior to the date of the receipt of the application and shall expire on the 30th day of June of the year in respect of which it is granted or renewed:

Provided that the Deputy Commissioner of Sales Tax of the Division may, in any deserving case, direct the licensing authority to accept an application for the grant or renewal of a license received after the prescribed date and issue the license with retrospective effect on the applicant's paying as penalty such

sum not exceeding the following limits, as may be fixed by the Deputy Commissioner of Sales Tax, namely :—

(*a*) Rs. 50, in a case where the license is issued free of fee, that is, for cloth woven on handlooms wholly with the handspun yarn ;

(*b*) nine times the license fee in addition to the usual license fee, in all other cases.

(5) (*a*) The fees for the grant or renewal of a license shall subject to a maximum of Rs. 1,000 be as follows :—

	If the turnover is Rs.10,000 and above but does not exceed Rs. 20,000 per annum	If the turnover exceeds Rs. 20,000 but does not exceed Rs. 1,00,000 per annum	For every additional turnover of one lakh or a fraction thereof
	Rs.	Rs.	Rs.
(i) For dealing in cotton and/or cotton yarn other than handspun yarn and/or handspun yarn.	75	150	100
(ii) For dealing in cloth woven on handlooms wholly or partly with mill yarn.	25	50	
(iii) For dealing in bullion and/or specie.	75	150	
(iv) For dealing in hides and/or skins whether as a tanner or otherwise.	25	50	
(v) For dealing as specified in section 9.	100	200	

(*b*) No fee shall be payable for the grant or renewal of a license for dealing exclusively in cloth woven on handlooms wholly with handspun yarn.

(*c*) The license fee specified in clause (a) on the estimated turnover shall be payable in advance along with the application for the grant or renewal of a license and the fee so paid shall be provisional and shall be subject to revision and adjustment in the manner provided in these rules.

(*d*) Every applicant for the grant or renewal of a license shall enclose with his application a treasury receipt or a cheque in favour of the licensing authority for the amount of the fees.

(6) The licensing authority receiving the application may, if he is satisfied that the information furnished in the application is correct and complete and that the correct fee has been paid and that the applicant is eligible for the license applied for, grant or, as the case may be, renew a license in such one of the Forms II to V as may be appropriate to his case.

If the information furnished in the application appears to be incorrect or incomplete or if the correct fee has not been paid, the licensing authority shall, before granting or renewing a license, make such enquiry as he considers necessary and after giving the applicant an opportunity as provided in rule 14 of proving the correctness and completeness of the information so furnished, determine the estimated turnover to the best of his judgment and assess the fee provisionally payable in accordance with the scale laid down in sub-rule (5) and, shall serve upon the applicant a notice of demand and the applicant shall pay the sum demanded at the time and in the manner specified in the notice. On payment by the applicant of the sum demanded in the notice, the licensing authority may, if he is satisfied that the applicant is eligible for the license applied for, grant or renew a license in such one of the Forms III to V as may be appropriate to his case.

(7) Every license granted or renewed under these rules shall be deemed to have been issued personally to the licensee. No license shall be sold or transferred.

(8) Where a licensee transfers his business to another person, the transferee shall obtain a fresh license under these rules, but it shall be granted free of fee for the unexpired portion of the period covered by the original license.

(9) Where a license granted or renewed under these rules is lost or accidentally destroyed, a duplicate of the license may be issued by the licensing authority on payment of a fee of one rupee.

(10) Every licensee under Section 9 shall submit to the licensing authority on or before the first day of August a return in Form VI for the year ending 30th June immediately preceding.

(11) Every licensee other than a tanner or dealer in hides or skins shall, unless he submits returns under rule 17 or 20 submit on or before the 20th day of September in every year to the licensing authority a return in Form VII of the turnover for the preceding year of all the business done by him.

(12) (*a*) On receipt of the return in Form VI or Form VII or the return or returns submitted under Rules 17, 20 or 22 the licensing authority shall, if he is satisfied after such scrutiny of the accounts of the licensee and after making such enquiries as he considers necessary, that the return or returns are correct and complete, determine on the basis of the return or returns the turnover of dealings in respect of which the

license was issued and finally assess the license fee payable for the year to which the license related in accordance with the scale laid down in sub-rule (5).

(*b*) If no return or returns are submitted, or if the return or returns submitted appear to the licensing authority to be incorrect or incomplete, the licensing authority shall, after following the procedure laid down in rules 14 and 15 determine the turnover dealings in respect of which the license was issued and finally assess the license fee payable for the year to which the license related in accordance with the scale laid down in sub-rule (5).

(*c*) If the license fee as finally assessed under this sub-rule is greater than the license fee provisionally paid under sub-rule (5) or sub-rule (6), the licensing authority shall serve upon the licensee a notice of demand and the licensee shall pay the sum demanded at the time and in the manner specified in the notice. If the license fee as finally assessed is lower than the license fee provisionally paid under sub-rule (5) or sub-rule (6), the licensing authority shall refund the amount due to the licensee.

(*d*) The benefit of Sections 5 and 9 may be claimed only after paying the balance of license fee, if any, demanded under clause (c).

Benefit of sections 5 and 9 when claimable.

7. Subject to the provisions of Section 7, the benefit of Sections 5 and 9 may be claimed only for the transactions carried on during the period covered by a license.

Cancellation of license.

8. Every license granted or renewed under these rules shall be liable to cancellation by the licensing authority in the event of a breach of any of the provisions of the Act, or of the rules made thereunder or of the conditions of the license.

Part III—Assessment.

Stage at which tax leviable in the case of sale of cotton yarn, bullion and specie and newspapers.

9. Subject to the provisions of section 5

(i) the sale of cotton yarn other than handspun yarn, shall be liable to tax under section 3 (1) when sold by a person who in Mysore is the first dealer in such mill yarn who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a transaction is not liable to taxation under this clause shall be on the dealer;

(ii) the sale of bullion and specie shall be liable to tax under section 3 (1) when sold by a person who in Mysore is the first dealer in such bullion and specie who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a transaction is not liable to taxation under this clause shall be on the dealer;

(iii) the sale of a newspaper shall be liable to tax under section 3(1) when sold by a person who in Mysore is the first

dealer in such newspaper who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a tran saction is not liable to taxation under this clause shall be on the dealer.

Stage at which tax leviable in the case of sale of goods mentioned in items (i) to (vii) of section 3 (2).

10. The sale of any of the goods mentioned in items (i) to vii) in section 3, sub-section (2), shall be subject to the tax specified in that sub-section at the stage of sale by the person who in Mysore is the first dealer in such goods, who is not exempt from taxation under section 3 (3).

Registration of dealer

11. (1) Every dealer carrying on business in any year shall submit his application for registration under section 10 to the assessing authority of the area in which his principal place of business is situated, before the expiry of the month succeeding that in which his turnover in that year reached Rs. 7,500 ;

(2) Any dealer who is not bound to submit an application for registration under sub-rule (1) may, if he so desires, apply for registration under section 10 to the assessing authority of the area in which his principal place of business is situated.

(3) Every application under sub-rule (1) shall be made in Form VIII-6 and every application under sub-rule (2) in Form VIII-7.

(4) Each application for registration shall be accompanied by a receipt from a Government treasury or a cheque or a money order in favour of the assessing authority for Rs. 6.

(5) The assessing authority receiving the application shall, if he is satisfied that the prescribed fee has been paid, grant a certificate of registration in Form VIII—8.

(6) Every registered dealer shall, until his registration is cancelled, pay the fee of Rs. 6 specified in sub-rule (4), for every year subsequent to that in which he applied for registration, on or before the 1st August of that year.

(7) A registered dealer may collect amounts by way of tax or taxes under the Act subject to the following conditions :—

(i) He shall not collect any amount or amounts by way of tax or taxes under the Act at a rate or rates exceeding the rate or rates specified in section 3 or 5 or notified under section 6 (1).

(ii) He shall pay in full the amount or amounts collected by him by way of tax or taxes to the Government *on or before the 31st July* of the year succeeding that in which such collection is made.

(8) The assessing authority may call for and examine the accounts of the registered dealer for the purpose of satisfying himself that the dealer has paid in full the amount or amounts collected by him by way of tax or taxes, as required by condition (ii) in sub-rule (7) :

Provided that this power shall be exercised before the end of the year next succeeding that in which the collections were made;

(9) If the assessing authority is satisfied that any amount or amounts collected by the dealer by way of tax or taxes have not been paid by him to the Government in any year as required by condition (ii) in sub-rule (7), the assessing authority shall issue a notice to the dealer in Form IX-2 specifying therein the total sum so withheld by the dealer and the dealer shall pay such sum at the time and in the manner specified therein.

Returns.

12. (1) Every dealer carrying on business on the first day of September 1948, submit to the assessing authority of the area in which his principal place of business is situated.

(*a*) If he was carrying on business during the whole of the year ending the 30th day of June 1948 and his net turnover for that year is not less than Rs. 10,000, a return of his gross and net turnover for that year in Form VIII; or

(*b*) If he was not carrying on business during the whole of the said year, a return in Form VIII-1 showing—

(i) his gross and net turnover for the first twelve months of his business in case he was carrying on business for a period of not less than twelve months before the 1st day of September 1948, and in case his net turnover for the first twelve months of his business is not less than Rs. 10,000; or

(ii) his estimated gross and net turnover for the first twelve months of his business in case he was not carrying on business for a period of twelve months before the said date and in case his estimated net turnover for the first twelve months of his business is not less than Rs. 10,000.

(2) Every dealer commencing business after the first day of September 1948 whose *estimated* net turnover for the first twelve months of his business is not less than Rs. 10,000, shall within thirty days of commencing his business submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII-1 showing his estimated gross and net turnover for the first twelve months of his business.

(3) Every dealer commencing business who has not submitted a return under sub-rule (2), but whose turnover *reaches* Rs. 10,000 within the first twelve months of the commencement of his business, shall within thirty days of the day on which his turnover reaches Rs. 10,000, submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII-1.

Provisional Assessment.

13. If the assessing authority, after making such scrutiny of the accounts of the dealer and such enquiry as such authority may consider necessary, is satisfied that the return submitted under rule 12 is correct and complete, he shall fix provisionally

on the basis of the return the annual tax or taxes payable at the rate or rates specified in Section 3. or 5 notified under Section 6 (1).

14. If no return is submitted by the dealer as required by rule 12 or if the return submitted by him appears to the assessing authority to be incorrect or incomplete, the assessing authority shall, after making such enquiry as he considers necessary, determine the turnover of the dealer to the best of his judgment and fix provisionally the annual tax or taxes payable at the rate or rates specified in Section 3 or 5 or notified under Section 6(1).

Power of assessing authority to determine turnover to the best of his judgment when no return is submitted or the return is incorrect or incomplete.

15. Where any return submitted by a dealer appears to the assessing authority to be incorrect or incomplete, the assessing authority shall, before taking action under rule 14, issue a notice to the dealer calling upon him to produce his accounts and prove the correctness and completeness of his return at a time and place to be specified in the notice.

Notice to issue to dealer before taking action under rule 14 when incorrect or incomplete return is furnished.

16. As soon as the tax has been provisionally fixed under rule 13 or rule 14 the assessing authority shall issue to the dealer a notice in Form VIII-2 and the dealer shall pay for each quarter of the year of assessment one-fourth of the tax provisionally fixed at the time and in the manner specified in the notice, the quarterly instalments due for the quarter preceding the date of the notice being paid in a lumpsum.

Notice of provisional assessment and demand for payment of tax.

17. (1) Every dealer liable to submit a return under rule 12 except those who have elected to be assessed by the method described in rule 20 shall, on or before the first day of August in every year, submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII showing the actual gross and net turnover for the preceding year and the amounts by way of tax or taxes actually collected during that year.

Annual returns and final assessments.

Every dealer not liable to submit a return under rule 12, who has a net turnover of not less than Rs. 10,000 in any year, shall unless he has elected to be assessed by the method described in rule 20 submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII showing the actual gross and net turnover for that year and the amount by way of tax or taxes actually collected during the year on or before the 1st day of August of the succeeding year and thereafter for every year on or before the 1st day of August immediately following such year.

(2) On the receipt of a return in Form VIII the assessing authority shall, if he is satisfied after such scrutiny of the accounts and such enquiry as he considers necessary that the return is correct and complete, finally assess on the basis of the return the tax or taxes payable under Section 3, 5 or 11 (2) or under the notification or notifications issued under section 6 (1) for the preceding year.

(3) If no return is submitted or if the return submitted appears to the assessing authority to be incorrect or incomplete, the assessing authority may, after following the procedure prescribed in rules 14 and 15, finally assess the tax according to the best of his judgment.

(4) The assessing authority shall, as soon as may be after the 1st August.....

(*a*) make a provisional assessment for the current year on the basis of the return received from the dealer under sub-rule (1) or, if such return is not submitted on or before the 1st August or if the return so submitted appears to the assessing authority to be incorrect or incomplete, according to the best of his judgment;

(*b*) issue to the dealer a notice in Form VIII-2.

Until an assessee receives such notice of provisional assessment, he shall continue to pay tax as in the preceding year, unless he is not liable to pay tax in the current year. Any tax so paid shall be adjusted when the provisional assessment for the year has been fixed.

Adjustments.

18. If the final assessment made under sub-rule (2) or (3) of rule 17 is greater than the provisional assessment made under rule 13, rule 14 or sub-rule (4) of rule 17, the assessing authority shall serve upon the dealer a notice in Form IX and the dealer shall pay the sum demanded at the time and in the manner specified in the notice. If the final assessment is lower than the provisional assessment, he shall serve upon the dealer a notice in Form X.

Amount of tax to be rounded by omitting annas and pies.

19. The amount of tax or taxes provisionally fixed for a year under rule 13, 14 or 17 and the instalments specified in the notice in Form VIII-2 issued under rule 16 or 17 shall, if they include annas and pies, be rounded by omitting the annas and pies.

Alternative procedure.

20. (1) In lieu of the method of assessment described in rule 13 to 18 the method described in sub-rules (2) to (5) may, at the option of the dealer, be adopted at any time in the case of dealers whose net turnover exceeds Rs. 20,000. If the dealer desires that this method of assessment should be applied to him from the beginning of any year, he shall, intimate his desire to the assessing authority at the time of submitting the return prescribed in rule 12 or thereafter before the 1st of July in any year. If, however, he exercises the option after the commencement of any year he shall, along with the intimation of his exercise of such option, submit to the assessing authority a return in Form VIII-3 showing the gross and net turnover for the period commencing from the beginning of that year *up to the end of the quarter immediately preceding* and the tax or taxes actually collected during that period, and shall therewith forward a receipt from a Government treasury or a cheque in favour of

the assessing authority for the full amount of the tax or taxes payable by him for such period after deducting therefrom any tax or taxes which he might have paid for that year under rule 16.

(2) The dealer shall submit to the assessing authority on or before the last day of every quarter, a return in Form VIII-3 showing the gross and net turnover for the preceding quarter and the amount or amounts actually collected by way of tax or taxes during that quarter. Along with the return he shall also submit a receipt from a Government treasury or a cheque in favour of the assessing authority for the full amount of the tax or taxes payable for the quarter to which the return relates, under Section 3, 5 or 11 (2) or under the notification or notifications issued under Section 6 (1).

(3) On receipt of the return and of the receipt or cheque referred to in sub-rule (2) the assessing authority shall, after such scrutiny of the accounts and after making such enquiry as he considers necessary, satisfy himself that the return is correct and complete and that the correct amount of tax or taxes has been paid.

(4) If no return is submitted in respect of any quarter before the last day of the succeeding quarter or if the return is submitted without a receipt or cheque for the full amount of the tax payable or if the return submitted appears to be incorrect or incomplete, the assessing authority shall, after making such enquiry as he considers necessary, and after giving the dealer as opportunity as prescribed in rule 15 of proving the correctness and completeness of his return where one has been submitted, determine the turnover to the best of his judgment and assess the tax or taxes payable for the quarter and shall serve upon the dealer a notice in Form IX—1, and the dealer shall pay the sum demanded at the time and in the manner specified in the notice.

(5) If at the time of the receipt of the return referred to in sub-rule (3) or of the issue of the notice in Form IX—1 referred to in sub-rule (4) or subsequently, it is found that the amount paid by the dealer is in excess of the correct amount payable under Section 3, 5 or 11(2) or under the notification or the notifications issued under Section 6(1), such excess shall at the option of the dealer, be credited towards the tax or taxes, if any, payable by him for succeeding quarters or be refunded to him.

Reasons to be given if turnover is determined at a figure other than that given in the return.

21. If in any case the assessing authority determines the turnover at a figure different from that shown in a return submitted under the provisions of these rules, he shall record his reasons briefly in writing and shall furnish the assessee with a copy of such records. Nothing contained in this rule shall affect the validity of any assessment duly made.

Special rules for Tanners, etc.

22. (1) Rules 12 to 18 shall not apply to licensed tanners and other licensed dealers in hides or skins in respect of their dealings in hides or skins; but the provisions of this and the following rule shall apply to them in respect of such dealings.

(2) Every tanner or other dealer in hides or skids whose net turnover for a year has been or is expected to be not less than Rs. 10,000 shall submit to the assessing authority, on or before the last day of December 1948 (or the last day of the quarter following that in which he commences businses) and thereafter on or before the last day of every quarter, a return in Form VIII-4, as the case may be, in Form VIII-5 showing his transactions for the preceding quarter. Along with the return he shall also submit a receipt from a Government treasury or a cheque in favour of the assessing authority for the full amount of the tax payable for the quarter to which the return relates.

(3) On receipt of the return and of the receipt or cheque referred to in sub-rule (2) the assessing authority shall after such scrutiny of the accounts and after making such enquiry as he considers necessary, satisfy himself that the return is correct and complete and that the correct amount of tax has been paid.

(4) If no return is submitted in respect of any quarter before the last day of the succeeding quarter or if the return is submitted without a receipt or cheque for the full amount of the tax or if the return submitted appears to be incorrect or incomplete the assessing authority shall, after making such enquiry as he considers necessary, and after giving the tanner or other dealer an opportunity as prescribed in rule 14 of proving the correctness and completeness of his return where one has been submitted, determine the turnover to the best of his judgment and assess the tax payable for the quarter and shall serve upon the tanner or other dealer a notice in Form IX-1 and the tanner or other dealer shall pay the sum demanded at the time and in the manner specified in the notice.

(5) If at the time of the receipt of the return referred to in sub-rule (3) or of the issue of the notice in Form IX-1 referred to in sub-rule (4) or subsequently, it is found that the amount paid by the tanner or other dealer is in excess of the correct tax payable, such excess shall, at the option of the tanner or other dealer, be credited towards the tax, if any, payable by him for succeeding quarters or be refunded to him.

Levy of tax in the case of hides and skins.

23. (1) In the case of hides and skins the tax payable under Section 3 (1) shall be levied in accordance with the provisions of this rule.

(2) No tax shall be levied on the sale of untanned hides or skins by a licensed dealer in hides or skins except at the stage at which such hides or skins are sold to a tanner in Mysore or are sold for export outside Mysore.

(i) In the case of all untanned hides or skins sold to a tanner in Mysore the tax shall be livied from the

tanner on the amount for which the hides or skins are bought by him.

(ii) In the case of all untanned hides or skins which are not sold to a tanner in Mysore but are exported outside Mysore, the tax shall be levied from the dealer who was the last dealer not exempt from taxation under Section 3 (3) who buys them in Mysore, on the amount for which they were bought by him.

(3) Sales by licensed dealers of hides or skins which have een tanned within Mysore shall be exempt from taxation pro-ided that the hides or skins have been tanned in a tannery hich has paid the tax leviable under the Act. If such hides or kins have been tanned in a tannery which is exempt from axation under Section 3 (3), the sale of such hides or skins shall e liable to taxation as under the next sub-rule below dealing ith hides or skins tanned outside Mysore.

(4) Sales by licensed dealers in hides or skins which have een tanned outside Mysore shall be exempt from taxation except t the stage of sale by the dealer who is the first dealer not xempt from taxation under Section 3 (3) who sells them within lysore. The tax shall be levied from such dealer on the amount r which he sells such hides or skins.

(5) Sale of hides or skins by dealers other than licensed ealers in hides or skins shall, subject to the provisions of ection 3, be liable to taxation on each occasion of sale.

Particulars to be given when dealer has bought or sold goods for valuable consideration other than money.

24 Every dealer who has bought or sold goods for valu-ble consideration other than money shall separately specify in e return of turnover which he is required to submit under ese rules the quantity of goods so bought or sold and the escription in sufficient detail of the valuable consideration for hich the goods were bought or sold. The assessing authority hall fix the value of such consideration in money for the purpose f determining the turnover and assessment of the tax payable nder the Act and the value fixed by such authority shall, subject o the appeal and revision provided for in the Act and the rules nade thereunder, be final.

PART IV—Rebates.

Application for rebate.

25. Every person claiming a rebate under Section 8 shall ubmit to the assessing authority an application in Form XI ithin three months of the delivery of the articles outside Mysore.

Procedure for grant of rebate.

26. On receipt of the application, the assessing authority, hall, after satisfying himself that the application is in order and hat the rebate is admissible, send to the applicant a refund order or the amount of the rebate due, if the tax has already been aid, or if the assessment has been provisionally made under Rule 13 or 14, adjust the amount at the time of final assessment nder Rule 17.

PART V.—Accounts.

Accounts to be preserved for two years

27. Accounts maintained by dealers and licensees togeth with all vouchers relating to stocks, deliveries, purchases, outpu and sales shall be preserved for a period of *two years after th close of the year to which they relate.

Separate account to be maintained in certain cases.

28. (1) If the goods in which a dealer or a person license under Section 9 deals include any of the articles specified Section 4 or 5 or in a notification under Section 6 in addition any other articles, such dealer or person shall maintain separat accounts in respect of each class of articles specified in thos sections.

(2) Dealers in hides or skins shall maintain separat accounts in respect of hides or skins tanned in Mysore and those tanned outside Mysore.

(3) If a person who holds a license under Section 9 als deals otherwise than for an agreed commission or brokerage o behalf of known principals in Mysore, he shall keep separat accounts in respect of such transactions and of transactior covered by the license.

(4) Every dealer and every person licensed under the Ac shall maintain accounts separately in respect of different kinds goods subject to different rates of tax under the Act.

(5) A person licensed under Section 9 shall keep accoun in Form XIII or Form XIV or both, as the case may be, i addition to such accounts as may be necessary in the usu course of business.

PART VI.—Appeals and Revision.

Appeal against original orders of licensing or assessing authority.

29. (1) Subject to the provisions of Section 14, any perso aggrieved by any original order of a licensing or assessin authority may appeal to the Deputy Commissioner of Sales Ta of the Division.

(2) Every such appeal shall be preferred within 30 day of the receipt of the order appealed against.

(3) Every appeal shall be in writing, shall specify th name and address of the appellant, the date of the order appeale against, shall contain a clear statement of the facts and th nature of the relief prayed for and shall be signed and verifie by the appellant in the form given below :—

> "I, ..., the appellant named in the abov memorandum of appeal, do hereby declare that wha is stated herein is true to the best of my knowledg and belief."

(4) The memorandum of appeal shall be accompanied b the order appealed against in original or by an authenticate copy thereof unless the omission to produce such order or copy explained to the satisfaction of the appellate authority, and b

*(The vouchers of each kind shall be serially numbered separately).

proof of payment of the tax admitted by the appellant to be due or of such instalments thereof as might have become payable.

(5) The appeal may be sent to the appellate authority by post or may be presented to that authority or to such officer as the appellate authority may appoint in this behalf by the appellant or by his authorized agent or a legal practitioner.

(6) The appellate authority shall, after giving the appellant reasonable opportunity of being heard, pass such orders on the appeal as such authority thinks fit.

Authorities who may exercise powers of revision.

30. The following authorities may exercise the powers of the nature referred to in section 15(1) :—

(i) The Commissioner of Sales Tax, and

(ii) The Deputy Commissioner of Sales Tax :

Provided that the Commissioner of Sales Tax shall not revise an appellate order of a Deputy Commissioner of Sales Tax acting under Section 14 in respect of cases involving a turnover exceeding Rs. 40,000.

Procedure when appellate or revising authority considers that the correct amount of the tax is more than that determined by initial assessing authority.

31. Where the tax as determined by the initial assessing authority appears to the appellate or revising auhtority to be less than the correct amount of the tax payable by the dealer, the appellate or revising authority shall, before passing orders, determine the correct amount of tax payable by the dealer after issuing a notice to the dealer and after making such enquiry as such appellate or revising authority considers necessary.

Communication of orders of appellate or revising authority, etc.

32. (1) Every order of an appellate or revising authority shall be communicated to the appellant or petitioner, to every other party affected by the order, to the licensing or assessing authority against whose order the appeal was filed and to any other authority concerned.

(2) The order passed on appeal or revision shall be given effect to by the licensing or assessing authority who shall refund any excess tax or fee found to have been collected and shall also have power to collect any additional tax or fee which is found to be due, in the same manner as a tax or fee assessed by himself.

Procedure when tax determined in appeal or revision is in excess of powers of initial assessing authority.

33. If the tax as determined in an appeal or revision is in excess of the powers of assessment of the initial assessing authority, the appellate or revising authority shall transfer the original records of assessment to the appropriate assessing authority who shall have power to collect the tax due in the same manner as if it were a tax assessed by himself.

Turnover escaping assessment.

34. (1) If for any reason the whole or any part of the turnover of business of a dealer or licensee has escaped assessment to the tax in any year or if the license fee has escaped levy in any year, the assessing authority or licensing authority, as the case may be, may, at any time within the year or the two years

next succeeding that to which the tax or license fee relates, assess the tax payable on the turnover which has escaped assessment or levy the licence fee, after issuing a notice to the dealer or licensee and after making such enquiry as he considers necessary.

(2) If for any reason any tax or license fee has been assessed at too low a rate in any year, the assessing authority or the licensing authority, as the case may be, may, at any time within the year or the two years next succeeding that to which the tax or license fee relates, revise the assessment or the license fee after issuing a notice to the dealer or licensee and after making such enquiry as he considers necessary.

(3) The assessing authority or the licensing authority, as the case may be, shall serve on the dealer or the licensee, a notice in Form IX with such modifications as may be necessary, in respect of the tax or license fee payable on any assessment or levy or revision of assessment or license fee that may be made under this rule.

(4) If after an assessment has been made on a turnover not exceeding forty thousand rupees, it is ascertained that part of the turnover has escaped tax, and if with the addition of the turnover which has escaped assessment, the total turnover exceeds forty thousand rupees, the assessing authority for the purposes of this rule shall be the Sales Tax Officer.

Rectification of mistakes.

35. (1) An assessing, appellate or revising authority may, at any time within two years from the date of any order passed by him, rectify any mistake apparent from the record:

Provided that no such rectification which has the effect of enhancing the assessment shall be made unless the assessing authority has given notice to the dealer of his intention to do so and has allowed him a reasonable opportunity of being heard.

(2) Where such rectification has the effect of reducing the assessment, the assessing authority shall make any refund which may be due to the dealer.

(3) Where any such rectification has the effect of enhancing the assessment, the assessing authority shall serve on the dealer a revised notice in Form IX and thereupon the provisions of the Act and these rules, shall apply as if such notice had been served in the first instance.

Part VII.—Miscellaneous.

Notice of partnership by dealer or licensee to be given to assessing authority.

36. If a dealer or licensee enters into partnership in regard to his business, he shall report the fact to the assessing authority within 30 days of his entering into such partnership. The dealer or licensee and the partner shall jointly and severally be responsible for the payment of tax leviable under the Act.

Notice of dissolution of partnership.

37. If a partnership is dissolved, every person who was a partner shall send a report of the dissolution to the assessing authority within 30 days of such dissolution.

38. If the business carried on by any dealer or licensee is discontinued, the dealer or licensee or, if he is dead, the legal representative shall notify to the assessing authority the fact of discontinuance of the business within one month of the discontinuance.

Notice of discontinuance of business by dealer or licensee.

39. In the case of any guardian, trustee or agent of any minor or other incapacitated person carrying on a business on behalf of and for the benefit of such minor or other incapacitated person, the tax shall be levied upon and recoverable from such guardian, trustee or agent, as the case may be, in like manner and to the same extent as it would be leviable upon and recoverable from any such minor or other incapacitated person, if he were of full age or sound mind and if he were conducting the business himself; and all the provisions of the Act and the rules made thereunder shall apply accordingly.

Liability to tax of guardians, trustees, agents, etc.

40. In the case of business owned by a dealer whose estate or any portion of whose estate is under the control of any Receiver or Manager (including any person whatever his designation, who in fact manages the business on behalf of the dealer) appointed by, or under any order of a court, the tax shall be levied upon and recoverable from such Receiver or Manager in like manner and on the same terms as it would be leviable upon and recoverable from the dealer if he were conducting the business himself; and all the provisions of the Act and the rules made thereunder shall apply accordingly.

Liability to tax of managers, receivers, etc.

41. An assessing or licensing authority may require any person whose evidence he considers necessary for the purpose of any enquiry under the Act, or the rules made thereunder to appear before him and give evidence.

Any assessing or licensing authority may examine such person on oath or affirmation.

Power of assessing authority to summon persons to give evidence.

42. An assessing or licensing authority shall have all the powers conferred on a court by the Code of Civil Procedure, 1911, for the purpose of securing the attendance of persons or the production of documents.

Powers of assessing authority for securing attendance of persons and production of documents.

43. The assessing or licensing authority shall issue a summons for the production of a document or the appearance of any person in Form XII.

Form of summons.

44. The powers conferred on an assessing or licensing authority by Rules 41 to 43 may also be exercised by an appellate or revising authority.

Powers under Rules 41 to 43 exercisable by appellate or revising authority.

45. A person appearing before a licensing, assessing, appellate or revising authority to give evidence in an enquiry under the Act or the rules made thereunder shall be paid travelling allowance and batta at such rates as may be fixed by the Government from time to time.

Travelling allowance and batta to witness.

Service of notices, etc.

46. The service on a dealer or licensee of any notice, summons or order under the Act or the rules made thereunder may be effected in any of the following ways, namely :—

(*a*) by giving or tendering it to such dealer or licensee or his manager or agent ; or

(*b*) if such dealer or licensee or his manager or agent is not found, by leaving it at his last known place of business or residence or by giving or tendering it to some adult member of his family ; or

(*c*) if the address of such dealer or licensee is known to the assessing authority, by sending it to him by registered post ; or

(*d*) if none of the modes aforesaid is practicable, by affixing it in some conspicuous place at his last known place of business or residence.

Authorities who may exercise powers under Section 21.

47. The following authorities may exercise the powers specified in Section 21 :—

(*a*) The Assistant Sales Tax Officer and the Sales Tax Officer subject to the control and direction of the Deputy Commissioner of Sales Tax and Commissioner of Sales Tax ; and

(*b*) The Deputy Commissioner of Sales Tax subject to the control and direction of the Commissioner of Sales Tax.

Form of cheque.

48. Where any payment by cheque is permitted by rules made under the Act, the cheque shall be such as under the Mysore Civil Account Code is receivable by the Government treasury concerned.

Penalty.

49. Whoever commits a breach of any of the following rules, namely Rules 6(10), 6(11), 27, 28, 37 and 38 shall, on conviction by a Magistrate of the First Class, be punishable with fine which may extend to one thousand rupees.

Forms printed by Government to be used.

50. Where a form has been prescribed by these rules for the keeping or maintaining of any accounts or for the submission of any return, only the appropriate form printed under the authority of the Government shall be used for the purpose.

Powers of Commissioner of Sales Tax to vary details in forms.

51. The forms prescribed in these rules may be used with such variations in matters of detail as may be directed by the Commissioner of Sales Tax from time to time.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

FORM I.

Application for Licence.

[*See Rules* 5 *and* 6 (*3*).]

To

The Licensing Authority.

Sir,

I/We residing at taluk, district, request that I/we may be granted a license (or my/our license No. dated may be renewed) for the year ending the 30th June 194

(*a*) for dealing in
- Bullion and/or specie
- cotton and/or cotton yarn other than handspun yarn or handspun yarn
- cloth woven on handlooms wholly with handspun yarn
- cloth woven on handlooms wholly or partly with mill yarn
- hides and/or skins whether as a tanner or otherwise

or

(*b*) for buying and selling goods for an agreed commission or brokerage on behalf of persons (including firms) in Mysore.

2. I/We desire to carry on business at the shandies in the following places in the neighbourhood of my/our place of business mentioned in item 4 :—

Name of the place where the shandy is held	Distance from place of business.

3. I/We enclose a $\frac{\text{treasury receipt}}{\text{cheque}}$ for Rs. (in words) only being the fee for the license.

4. My/Our $\frac{\text{turnover}}{\text{estimated turnover}}$ for the year was/is Rs. (in words)

5. A description of my/our $\frac{\text{place of business}}{\text{principal place of business}}$ and the place of business of each of the branches is given below :—

6. In addition to the business for which license is applied for I/we deal in the following goods :—

Signature of applicant (s).

Note .—(1) The turnover for the year immediately preceding the year for which application is made should be furnished.

(2) In the case of new businesses estimated turnover for twelve months should be given.

(3) The turnover entered in item 4 should relate only to the dealings in respect of which license is applied for.

(4) An applicant for a licence for dealing in cloth woven on handlooms wholly with handspun yarn must append a declaration as follows :—

"I hereby declare that I deal exclusively in cloth woven on handlooms wholly with handspun yarn."

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code is receivable by the Government treasury concerned.

FORM-II.

License to a dealer in bullion and/or specie.

[*See Rules 6 (6)*.]

License No. dated . . . . . having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in bullion and/or specie for the year ending at (place of business) subject to the provisions of the Mysore Sales Tax Act, 1948, and the rules made thereunder and to the following conditions:—

(1) This license extends only to dealings in bullion and/or specie and not to ornaments or other finished articles of precious metal.

(2) Licensees who do not submit returns under rule 17 or 20 shall submit to the undersigned on or before the 20th day of September in every year a return in Form VII showing the turnover of all the business done by them for the preceding year.

(3) Licensees shall keep accounts showing the names and addresses of the persons from whom they bought or to whom they sold bullion and/or specie.

(4) No correction in this license shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Licensing Authority.

Date

Renewal of the license.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
(1)	(2)	(3)	(4)

FORM III.

Licence to a dealer in

- Cotton
- cotton yarn other than handspun yarn
- handspun yarn
- cloth woven on handlooms wholly with handspun yarn
- cloth woven on handlooms wholly or partly with mill yarn

[*See Rule* 6 (6).]

Licence No. dated having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in

- Cotton
- cotton yarn other than handspun yarn
- handspun yarn
- cloth woven on handlooms wholly with handspun yarn
- cloth woven on handlooms wholly or partly with mill yarn

for the year ending at (place of business including the shandies at) subject to the provisions of the Mysore Sales Tax Act, 1948, and the rules made thereunder and to the following conditions:—

(1) Licensees who do not submit returns under rule 19 or 22, shall submit to the undersigned on or before the 20th day of September in every year a return in Form VII showing the turnover of all the business done by them for the preceding year.

(2) In the case of handspun yarn and cloth woven on handlooms wholly or partly with mill yarn, the licensees shall keep accounts showing the name and addresses of the persons from whom they bought and to whom they sold the yarn or the cloth, as the case may be.

(3) No correction in this licence shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Date Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
1	2	3	4

FORM IV.

Licence to a dealer in hides and skins, whether as a tanner or otherwise.

[*See Rule* 6 (6).]

Licence No. dated having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in hides and skins, whether as a tanner or otherwise for the year ending at (place of business), subject to the provisions of the Mysore Sales Tax Act, 1948 and the rules made thereunder.

Licensees shall keep accounts showing the names and addresses of the persons from whom they bought or to whom they sold the goods.

No correction in this licence shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Date Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
1	2	3	4

FORM V.

Licence under Section 9 of the Mysore Sales Tax Act, 1948.

[*See Rule* 6 (6).]

License No. Date having his place of business at and having paid a license fee of Rs. (in words) only is hereby licensed under section 9 of the Mysore Sales Tax Act, 1948, subject to the provisions of the said Act and the rules made thereunder and to the following conditions:—

(1) No correction in this license shall be valid unless ordered and attested by the undersigned.

(2) The licensee shall submit to the undersigned on or before the first day of August a return in Form VI for the year ending 30th June.

(3) The licensee shall be exempt from the tax payable under Section 3, sub-sections (1) and (2), only in respect of the transactions in which the amounts for which the goods are bought or sold are included in the turnover of the principals or of the dealers from whom the purchases were made or would have been so included but for an exemption provided for under the Act.

(4) This license shall not apply to the transactions of the licensee otherwise than for an agreed commission or brokerage on behalf of known principals (including firms) in Mysore specified in his accounts in respect of each transaction or to the transactions of the licensée on behalf of non-residents.

(5) The agreed commission or brokerage specified in the accounts shall be the entire remuneration of the agent and each legitimate incidental charge actually incurred by him in respect of insurance, transport, loading and unloading, godown rent, interest, correspondence, telegrams, the use of the telephone and the like shall be specified in the accounts separately.

(6) The licensee shall prove before the licensing authority with necessary evidence that a transaction is exempt by virtue of this licence from the tax or taxes payable under section 3.

(7) Without prejudice to the generality of the foregoing conditions, every licensee shall, in particular:—

(*a*) If the transaction be one claimed as buying of goods on behalf of princi s as specified in the Section 9,

(i) produce before the licensing authority the order in-writing from the principal, authorising him to buy the goods for agreed commission or brokerage,

(ii) prove before the licensing authority the date of receipt by him of the said order,

(iii) specify in the accounts with reference to the said order, the person from whom and the date on which the goods were bought the quantity so bought and the appropriation of the goods so bought on the date on which they were bought,

(iv) prove before the licensing authority by vouchers that he incurred the legitimate incidental charges referred to in condition 5, and that the commission or brokerage (the entire remuneration of the licensee) was agreed upon as commission or brokerage,

(v) render a truthful account to the principal in Form XIII, and

(vi) keep and produce before the licensing authority a mechanically duplicated copy of the account so rendered;

(*b*) If the transaction be one claimed as selling of goods on behalf of principals as specified in Section 9,

(i) specify in his accounts the date on which he received the goods from the principal for sale for agreed commission or brokerage and the quantity so received and produce evidence of the date, the quantity and the order in writing from the principal authorising him to sell the goods for the agreed commission or brokerage,

(ii) specify in his accounts the date on which and the person to whom the goods or portions thereof were sold in each transaction, mentioning the quantity so sold,

(iii) specify in his accounts the name and address of the person or persons to whose account or accounts the amount realised by each transaction of sale was credited,

(iv) prove before the licensing authority by vouchers that he incurred the legitimate incidental charges referred to in condition 5 and that the commission or brokerage (the entire remuneration of the licensee) was agreed upon as commission or brokerage,

(v) render a truthful account to the principal in Form XIV, and

(vi) keep and produce before the licensing authority a mechanically duplicated copy of the account so rendered.

(8) The licensee shall obtain bills for purchases or issue serially numbered bills for sales and keep and produce them or copies thereof, as the case may be. Such bills shall specify also the names and addresses of the persons from whom the purchases were made or to whom the sales were made.

(9) If in respect of one and the same transaction, the licensee had bought or sold the goods on behalf of more than one principal, he shall not be exempt from the tax payable under section 3 in respect of such portion of the transaction relating to the principal or principals as the case may be, as does not comply with the provisions of Section 9 and the conditions and restrictions herein contained.

Turnover as determined by the Licensing Authority.

Place.
Date.

Licensing Authority.

Renewal of the license.

Date of renewal	Year for which renewed	Turnover as determined by the licensing authority	Signature of the licensing authority

FORM VI.

Return to be submitted by a person licensed under Section 9 of the Mysore Sales Tax Act, 1948.

[*See Rule* 6 (10).]

Name(s) of the licensee(s)
Place of business :—
License No. dated

1. During the year ending 30th June 19 . I/We have acted as—

(*a*) Selling agent(s) for the principals mentioned in the annexed statement.
Total amount for which sales were effected :—

(*b*) buying agents in groundnut / untanned hides and/or skins for the principals mentioned in the statement annexed.
Total amount for which purchases were made :—

(*c*) Buying agent(s) in respect of other articles for the principals mentioned in the statement annexed :—
Total amount for which purchases were made.
Grand total under (*a*), (*b*) and (*c*) :—

A statement in the form annexed detailing the transactions under (*a*), (*b*) and (*c*) is appended.

2. The amount for which I/we sold goods under (*a*) or bought goods under (*b*) or (*c*) of paragraph 1 on behalf of principals resident outside Mysore is as follows :—

(*a*) Rs. (*b*) Rs. (*c*) Rs.

Signature of licensee(s).

Note.—1. The turnover of transactions carried out on behalf of principals resident outside Mysore should be included in a return in Form VIII, VIII-1 or VIII-3 as the case may be.

2. If any of the transactions included in paragraph 2 above relate to hides and skins or to articles exempted from taxation under the Act, the turnover of such articles should be shown separately in respect of each class of such articles.

ANNEXURE.

Serial number	Name of the principal with the address of his place of business	Total amount for which goods were sold during the year under paragraph 1 (a) on behalf of the principal in column (2)	Total amount for which goods were bought during the year under paragraph 1 (b) on behalf of the principal in column (2)	Total amount for which goods were brought during the year under paragraph 1 (c) on behalf of the	Amounts taken by the licensee towards commission and other items mentioned in the accounts from the amount in column (3)	Amounts received from the principal in column (2) towards commission and other items mentioned in the accounts in addition to the amounts specified in column (14) or column (5) in respect of transactions included in paragraph 1(b) or 1 (c)	Remarks
1	2	3	4	5	6	7	8

Signature of licensee(s).

FORM VII.

Annual return submitted by licensees other than dealers in hides and skins.

[*See Rule* 6 (11).]

Name(s) of the licensee(s) :—

License No. dated

During the year ending 30th June ..... the turnover of my/our business has been as follows :—

1. Transactions covered by the license :—

	Rs.	a.	p.
(i) Bullion and/or specie			
(ii) Cotton			
(iii) Cotton yarn other than handspun yarn			
(iv) Handspun yarn			
(v) Cloth woven on handlooms wholly with handspun yarn.			
(vi) Agency business			
(vii) Cloth woven on handlooms wholly or partly with mill yarn.			
2. Business not covered by the license			
Total ...			

I/We declare that to the best of my/our knowledge and belief the information furnished in the above return is true and complete and that it relates to the year ending 30th June.

Signature of licensee(s).

Note.—The turnover at the place of business should include the turnover at the shandies, if any, covered by the license.

FORM VIII.

Return of turnover.

[*See Rules* 12 (1) *and* 17 (1).]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our turnover for the year ending the 30th June 19 :—

STATEMENT.

Name(s) and postal address(es) of dealer(s)	Place or places of business	Nature of business (nature of goods bought or sold)	Rate or rates at which be collected tax or taxes	Amount of gross turnover	Turnover and description of each class of goods exempt from the tax	Discount allowed	Amount refunded in respect of articles returned by customers.	Turnover of accommodation sales	Net turnover liable to the tax	Amount actually collected by way of tax or taxes
1	2	3	4	5	6	7	8	9	10	11

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the year ending the 30th June 19 :—

Place

Date

Signature of dealer(s).

Note.—(1) Give the turnover of the immediately preceding financial year.

(2) In column (2), note the addresses of the headquarters and of all branches of the business to which the return relates.

(3) The turnover of each class of goods for which exemption is claimed should be specified separately in column (6).

(4) The transactions in different kinds of goods subject to different rates of tax under the Act should be shown in different lines. The totals of the vertical columns should be shown in the last line.

FORM VIII—(1).

Return of $\frac{\text{turnover.}}{\text{estimated turnover.}}$

[*See Rules* 12 (1), (2) *and* (3).]

[To be used only (i) by dealers who commence their business after the 1st day of September 1948, and (ii) by dealers who were carrying on business on the 1st day of September 1948 but who were not doing business during the whole of the year ending the 30th day of June 1948 or who commenced business after 30th day of June 1948].

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our _____ for the first twelve months of business. I/We commenced business on $\frac{\text{turnover.}}{\text{estimated turnover.}}$

STATEMENT.

Name(s) and postal address(es) of dealer(s)	Place or places of business	Nature of business (nature of goods bought or sold)	Rate or rates at which he collected the tax or taxes	Gross or estimated gross turnover	Turnover or estimated turnover exempt from the tax	Net turnover or estimated net turnover liable to the tax
1	2	3	4	5	6	7

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it represents my/our $\frac{\text{turnover}}{\text{estimate of the turnover likely to be realised}}$ for the first twelve months of business.

Place.....

Date..... Signature(s) of dealer(s).

Note.—(1) In column (2), note the addresses of the headquarters and of all the branches of business to which the return relates.

(2) The transactions in different kind of goods subject to the different rates of tax under the Act should be shown in different lines. The totals of vertical columns should be shown in the last line.

(3) Separate figures should be given in column (6) for each class of exempted goods.

FORM VIII—2.

Notice of provisional assessment and demand for payment of tax or taxes.

[*See Rules* 16 *and* 17.]

To

(The dealer.)

Take notice that you have been provisionally assessed, under the Mysore Sales Tax Act, 1948, to a tax of Rs. .....[rupees.....(in words)] only for the year ending 30th June 1948. This tax shall be paid in quarterly instalments of Rs..... [rupees.....(in words)] only. The tax for the quarter preceding the date of this notice shall be paid within twenty-one days from the date of service of this notice and the tax for each of the remaining quarter before the 10th day of the succeeding quarter

by money order to the undersigned

by cheque in favour of the undersigned

by remittance into the Government treasury at .....

to the tax-collector who will call for it,

failing which the amounts will be recovered as if they were arrears of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by assessing authority in respect of :—

Nature of goods.	Rate of tax.	Turnover.
(1)	(2)	(3)
	Total ...	

Place.....

Date.....

Assessing Authority.

Note.—(1) If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the Treasury concerned.

(2) The assessee shall continue to pay tax in the following year at the rate specified above, pending the provisional assessment for that year in accordance with rule 19 (4) of the Mysore Sales Tax Rules, 1948.

(3) The tax paid by the assessee for the quarter preceding the date of this notice in accordance with the provisional assessment for the preceding year shall be adjusted towards the tax payable under this notice. If the tax so paid is less than the amount payable under this notice for the quarter concerned, he shall pay the difference within fifteen days from the date of service of this notice.

FORM VIII—3.

Return of turnover.

[*See Rule* 20 (2).]

To

The Assessing authority.

I/We furnish below a statement showing my/our turnover for the quarter ending.....

STATEMENT.

Name (s) and postal address (es) of dealer (s).	Place or places of business.	Nature of business (nature of goods bought or sold)	Rate or rates at which he collected the tax or taxes	Amount of gross turnover	Turnover and description of each class of goods exempt from the tax	Discount allowed	Amount refunded in respect of articles returned by customers	Turnover of accommodation sales	Net turnover liable to the tax	Amount actually collected by way of tax or taxes
1	2	3	4	5	6	7	8	9	10	11

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date..... Signature(s) of dealer(s)

Note.—(1) In column (2), note the addresses of the headquarters and of all the branches of the business to which the return relates.

(2) The turnover of each class of goods for which exemption is claimed should be specified separately in column (6).

(3) The transactions in different kinds of goods subject to different rates of tax under the Act should be shown in different lines. The totals of vertical columns should be shown in the last line.

FORM VIII—4

Return of turnover in the case of tanners.

[*See Rule 22 (2)*]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our turnover for the quarter ending .....

Statement.

Name(s) and postal address(es) as tanner(s)	Place or places of business	Amount for which hides and skins were purchased for tanning by the assessee(s)
1	2	3

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date.....

Signature of Tanner(s).

Note.—Note in column (2) the addresses of the head office and of all the branches of the business to which the return relates.

FORM VIII-5

Return of Turnover in the case of Dealers in Hides or Skins.

[*See Rule 22 (2)*]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our transactions for the quarter ending.....

Name(s) and postal address(es) of dealer(s).....

Place or places of business.....

Statement.

(*a*) For dealers in untanned hides or skins :—

Amount for which goods have been sold to tanners in Mysore	Amount for which goods have been sold to other dealers in Mysore	Amount for which goods have been sold on export outside Mysore	Amount for which goods falling under column (3) were purchased by the dealer(s)
1	2	3	4

(*b*) For dealers in tanned hides or skins :—

Amount for which hides or skins tanned in Mysore were sold	Amount for which hides or skins tanned outside Mysore were sold	
	Hides or skins bought from dealers in Mysore	Hides or skins bought from dealers outside Mysore
1	2	3

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date.....

Signature of dealer(s).

Note.—Note in column (2) the addresses of the head office and of all the branches of the business to which the return relates.

FORM VIII-6.

Application for Registration as a Dealer.

[*See Rule* 11]

To

The Assessing Authority.

Sir,

I/We.....submit this application for registration as dealer(s) under the Mysore Sales Tax Act, 1948 at.....

2. I/We carry on business at the following places in addition to the place specified above:—

.....

3. I/We enclose a treasury receipt/cheque for Rs. 6 (Rupees six only) being the fee for registration.

Note.—If the fee is sent by money order, mention the date of remittance.

4. My turnover in the year ending 30th June 19.....reached Rs. 7,500 only on.....

Place.....

Date..... Signature of the applicant(s).

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code may be received by the Government Treasury concerned.

FORM VIII-7.

Application for Registration as a Dealer.

[*See Rule* 11]

To

The Assessing Authority.

Sir,

I/We.....submit this application for registration as dealer(s) under the Mysore Sales Tax Act, 1948 at.....

2. I/We carry on business at the following places in addition to the place specified above:—

.....

3. I/We enclose a treasury receipt/cheque for Rs. 6 (Rupees six only) being the fee for the registration.

Note.—If the fee is sent by money order, mention the date of remittance.

4. My/Our turnover for the period.....is Rs. ..... (in words) only.

Place.....

Date..... Signature of the applicant(s).

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code may be received by the Government Treasury concerned.

FORM VIII-8.

Certificate No. ....., dated.....

[*See Rule* 11.]

.....having paid a registration fee or Rs. 6 (Rupees six) only is/are hereby registered as dealer(s) at.....subject to the provisions of the Act, the rules made thereunder and the following conditions :—

(1) He shall pay the entire amount of tax collected by him to the Government.

(2) No corrections in this certificate shall be valid unless ordered and attested by the undersigned.

2. Turnover reported in Form VII-6 or Form VIII-7 is Rs. .....

Place.....

Date..... Assessing Authority.

Note.—This certificate of registration should be exhibited at a conspicuous place within the premises of the business specified above and should be open for inspection.

FORM IX.

Notice of Final Annual Assessment and Demand.

[*See Rule* 18.]

To

(Dealer.)

Take notice that you have been finally assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs. .....[rupees.....(in words)] only for the year ending the 30th June 19 ....., and that, after deducting the total amount of the quarterly payment(s) already made by you towards the tax for that year, you have to pay a (further) sum of Rs. .....[rupees.....(in words)] only. This balance of tax shall be paid within twenty-one days from the date of service of this notice, by cheque in favour of the undersigned / by remittance into the Government Treasury at / to the tax-collector who will call for it failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by the assessing authority in respect of :—

Nature of goods.	Rate of tax.	Turnover
(1)	(2)	(3)
	Total Rs.	

Place.....

Date..... Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

FORM IX-1.

Notice of Final Quarterly Assessment and Demand.

[*See Rule* 20 (4) *and* (5).]

To

(Dealer.)

Take notice that you have been assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs..... [rupees.....(in words)] only for the quarter ending..... .....19 , and that after deducting the payment (s) already made by you towards the tax for that quarter you have to pay a (further) sum of Rs..... [rupees..... .....(in words)] only. This amount shall be paid within twenty-one days from the date of service of this notice,

by cheque in favour of the undersigned, or
by remittance into the Government treasury at..... failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by the assessing authority in respect of :—

Nature of goods. (1)	Rate of tax. (2)	Turnover. (3)
	Total...	Rs.

Place .....
Date .....

Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

FORM IX-2.

[*See Rule* 11.]

To

(Dealer).

Take notice that for the year ending ..... (after deducting the payments made by you) a sum of Rs..... [rupees..... (in words)] only is due and payable by you, being the amount (*balance of amount) collected by you by way of tax or taxes under section 3 or 5 or the notification or notifications under section 6 (1) of the Mysore Sales Tax Act, 1948. The said sum of Rs..... shall be paid within 21 days from the date of service of this notice

by cheque in favour of the undersigned
by remittance into the Government treasury at
to the tax collector who will call for it

failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in Section 20 of the Mysore Sales Tax Act, 1948.

Place.....
Date.....

Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

* To be struck off if no payment was due.

FORM X.

Notice of Final Assessment and Refund Order.

[*See Rule* 18].

To

(Dealer).

Take notice that you have been finally assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs..... [rupees ..... (in words)] only for the year ending the 31st March 194 . The total amount of tax paid by you already is Rs..... [rupees..... (in words)] only, that is, Rs..... in excess of the tax due. A refund order is enclosed. You should apply to the Government treasury at ..... for the refund of this sum within three months from the date of service of this notice failing which the amount will lapse to the Government.

Turnover as determined by the assessing authority in respect of :—

Nature of goods. (1)	Rate of tax. (2)	Turnover. (3)
	Total ... Rs.	

Place.....
Date .....

Assessing Authority.

FORM XI.

Application for Rebate under Section 8 of the Mysore Sales Tax Act, 1948.

[*See Rule* 25].

I/we residing at taluk district request that I/we may be granted a rebate of tax under Section 8 of the Mysore Sales Tax Act, 1948, in respect of the sale of goods specified below :—

1. Name(s) and postal address(es) of applicant(s).
2. Nature and description of articles sold.
3. Aggregate amount for which sold.
4. Name(s) and address(es) of person(s) to whom sold.
5. In the case of assesses under Rule 22 the quarter which the amount under item 3 was included in the return of turnover.

Declaration.

I/we declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....
Date.....

Signature of applicant(s).

FORM XII.

Form of Summons under the Mysore Sales Tax Act, 1948.

[*See Rule* 43.]

Summons to appear in person and/or to produce documents.

To

Whereas your attendance is necessary

where as the following documents (here describe the document) in sufficient detail to permit of to give evidence their identification with reasonable certainty) are required with reference to an inquiry under the Mysore Sales Tax Act, 1948 (here enter briefly the subject of the inquiry) now pending before me, you are hereby summoned to appear in person to produce, or cause to be produced the said documents before me on the day of 19 , at o'clock at (place) (and is not to depart thence until permitted by me)*.

Given under my hand and seal this day of 19 .

(Seal).

Signature,
Official Designation.

*These words should be omitted where the summons is for the production of documents only.

FORM XIII.

Form of account to be kept by persons licensed under Section 9 in respect of transactions of buying goods on behalf of principals.

[*See Rule* 28.]

To

.....(The Principal).

Date of order to buy the goods	Date of receipt of order	The quantity and description of the goods ordered and the rates, if any	The commission or brokerage (entire remuneration of the licensee) agreed upon	The date on which the goods were bought	The name and address of the persons from whom the goods were bought	The quantity of goods bought	The amount actually paid to the person from whom the goods were bought	The date on which you were debited	The amounts debited towards.		
									The amount actually paid to the person from whom the goods were bought	Agreed commission or brokerage (entire remuneration)	Legitimate incidental charges actually incurred (each item separately specified)
1	2	3	4	5	6	7	8	9	10	11	12
									Rs.a.p.	Rs.a.p.	Rs.a.p.

FORM XIV.

Form of account to be kept by persons licensed under Section 9 in respect of transactions of selling goods on behalf of Principals.

[*See Rule* 28 (5).]

To

.....(The Principal).

Date of receipt of goods	Quantity and description of goods received	The commission or brokerage (entire remuneration of the licensee) agreed upon	The date of sale	The quantity sold	The name and address of the person to whom sold	The amount actually collected from the buyer	The date on which you were credited	The amount credited	Total amount debited towards. Agreed commission or brokerage (entire remuneration)	Total amount debited towards. Legitimate incidental charges actually incurred (each item separately specified)
1	2	3	4	5	6	7	8	9	10	11
									Rs. a.p.	Rs. a.p.

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The Mysore Gazette

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EXTRAORDINARY

BANGALORE, WEDNESDAY, AUGUST 4, 1948.

NOTIFICATION.

Order No. R.L. 311—Legis. 23-48-1, Bangalore, dated 4th August 1948.

Ordered that the accompanying Enquiry Committees Special Provisions (Second Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 4th day of August 1948, be published as Act No. LIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LIII OF 1948.

THE ENQUIRY COMMITTEES SPECIAL PROVISIONS (SECOND AMENDMENT) (EMERGENCY) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 4th day of August 1948.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action with a view to remove doubts which have been raised as to the finality

of orders passed under Section 9 of the Enquiry Committees Special Provisions (Emergency) Act, 1948 and for other reasons;

NOW, THEREFORE, in exercise of the powers conferred by Sub-Section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

1. This Act may be called the Enquiry Committees Special Provisions (Second Amendment) (Emergency) Act, 1948.

2. It shall come into force at once.

3. In this Act, "Act" means the Enquiry Committees Special Provisions (Emergency) Act (XXII of 1948) as amended by the Enquiry Committees Special Provisions (Amendment) (Emergency) Act (XXV of 1948).

4. In Section 9 of the Act, for the figures "1940", the figures "1930" shall be substituted.

5. After Section 15 of the Act the following shall be added:—

"15-A. The High Court shall not have and shall be deemed never to have had any power to call in question in any manner whatsoever, or otherwise to interfere with any order made or purporting to be made under Section 9 or under any of the other sections of the Act; nor shall the Committee be subject to the superintendence or control of the High Court in any manner.

15-B. Section 491 of the Code of Criminal Procedure (Act II of 1904) shall not apply and shall be deemed never to have applied to any person against whom an order has been made or purports to have been made under the Act."

Explanation.—The above provisions apply to proceedings now pending in the High Court.

A. RAMASWAMI MUDALIAR,
Dewan.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. R. 5094—Ex. 86-47-5, dated 7th June 1948.

Under Sections 9 and 13-A of the Mysore Excise Act, V of 1901, as amended from time to time and under Section 5 of the Opium Act, as applied to Mysore and under Rule III (1) of the Opium Rules as amended by Notification No. Fl. 8381—Ex. 122-10-2, dated 17th June 1941, and in exercise of all other powers enabling them in this behalf, the Government of His Highness the Maharaja of Mysore are hereby pleased to prohibit the possession and transport of toddy, arrack, ganja, opium (raw) or prepared special liquors, foreign liquors, foreign or country beer, by any person in Bowringpet Taluk, Kolar District, except in the cases and subject to the conditions specified hereunder:—

2. (1) The Deputy Commissioner, Kolar District,

may grant licenses to possess any foreign liquor for personal consumption in the following cases :—

Community	Maximum quantity permitted to be possessed at a time.	Maximum quantity permitted to be possessed in a month	Conditions for grant of licences
1. Non-domiciled Europeans of all ages.	4 Units	8 Units	Without production of medical certificates.
2. Domiciled Europeans, non-domiciled Indian Jews, non-domiciled Chinese and non-domiciled other Asiatics of all ages.	3 Units	6 Units	Do
3. Anglo-Indians, Parsees and Jews above 45 years of age.	2 Units	4 Units	On production of a medical certificate showing the age of the applicant and the particular ailment which necessitates him to take alcoholic drinks, from a Government Medical Officer not below the rank of Assistant Surgeon.
4. Indians above 55 years of age.	2 Units	4 Units	Do
5. Residents of areas in which possession of liquors is not prohibited who tour in the Bowringpet Taluk (of all communities and of all ages).	2 Units	Not restricted	Without production of medical certificate.

N. B.—(1) One Unit represents 1 Qt. bottle of whisky or other spirits including liquor or 3 Qt. bottles of wine or vermouth or 12 Qt. bottles of beer or cider.

(2) Such licenses are granted only to persons who are addicted to drink or who require liquor on medical grounds.

3. Residents of Bowringpet Taluk in which possession of liquor is prohibited who desire to obtain licenses should apply to the Deputy Commissioner, Kolar District. Each application should show the name of the applicant, his correct address and the community to which he belongs, the grounds on which the license is required and the number of quart or pint bottles of each kind of liquor required by the applicant. The licenses will be issued in Forms I and II appended to this notification and subject to the conditions specified therein.

4. (i) All license holders should obtain their liquor from places outside Bowringpet Taluk or from non-proprietory clubs licensed under this notification, of which they are members.

(ii) The Excise Commissioner in Mysore may grant licenses to non-proprietory clubs in Bowringpet Taluk (which are predominantly European) in Form III appended to this notification and subject to the conditions specified therein.

(1) The Secretaries of such clubs should apply to the Deputy Commissioner, Kolar District, who will forward these applications to the Excise Commissioner, stating the quantity to be possessed at any one time for supply to members under the license while granting the license, the Excise Commissioner fixes the quantity that can be possessed by the club at a time.

(2) These clubs are authorised to supply liquor only to such of their members as hold licenses for possession of liquor for personal consumption. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided, only liquor bottled and sealed may be removed from the premises.

(iii) The Deputy Commissioner, Kolar District, may grant licenses to persons to possess and use opium for personal consumption under the conditions specified below :—

(*a*) An applicant who desires to obtain licenses for possession and use of opium should apply to the Deputy Commissioner, Kolar District, furnishing the name, correct address, the age and community to which he belongs, the grounds on which the permit is required and the

maximum quantity of opium required for consumption in a month.

(*b*) Opium will not be issued to persons below 20 years of age.

(*c*) In support of the application for the grant of opium, a certificate from a medical officer not below the rank of an Assistant Surgeon certifying to the need for the issue of opium and the quantity that may be issued per month should be produced.

(*d*) The maximum quantity of opium that can be issued to each addict is fixed at 4 tolas per month.

(iv) The Deputy Commissioner, Kolar District, may also grant licenses and permits in Bowringpet Taluk for purposes specified below and under the conditions specified in the respective licenses.—

Description of license or permit	*Form No. in Annexure*
1. License for the sale of brandy and medicated wines and similar preparations by Chemists ...	IV
2. Licenses to a Medical Practitioner for the possession and use of brandy for medicinal purposes ...	V
3. License to Medical Officers in charge of Hospitals for the possession and use of brandy for medicinal purposes in Hospitals ...	VI
4. License for the manufacture of *bona fide* medicinal preparations containings ganja or Bhang ...	VII
5. License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Brandy ...	VIII
6. For the possession, use and issue of sacramental wine	IX

SYED ABDUL ALEEM,

Revenue Secretary.

FORM I.

License to possess for personal consumption bottled foreign liquor.

WHEREAS
has applied for a license authorising him/her to possess for personal consumption liquor and to that extent exempt him/her from the Government Notification No. dated June 1948.

And whereas the Deputy Commissioner, District, is satisfied that there is good reason for so exempting him/her and granting him/her a license and that he/she will not misuse such license.

Now, therefore, the Deputy Commissioner, District, hereby permits the said while residing in the area in which prohibition is in force to possess bottled foreign liquor for his/her personal consumption from to (inclusive) subject to the following conditions to be observed by him/her.

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below.* The license holder may, however, entertain, any other holder of a similar license with liquor.

2. The quantity that may be possessed under the license shall not exceed units at any time subject to a maximum of units in a month.

3. The liquor that may be possessed under this license shall be obtained from places situated outside the areas in which Government Notification No. dated is in force provided that such Club holds a license for supply of foreign liquor to its members and the license holder is a member of such Club. No liquor shall be obtained from places outside the prohibition areas except under an import permit granted by the Deputy Commissioner of the District or under a permit granted under the Mysore Excise Act, V of 1901. Such permits shall not be granted except on prepayment of fees prescribed from time to time by Government under the Mysore Excise Act.

4. Every consignment of liquor imported by the license-holder from any place within the Mysore State situated outside the area in which the Government Notification No. dated is in force shall be accompanied by an import permit granted by the Deputy Commissioner, District.

5. All bills of purchase of foreign liquor by the license-holder shall be preserved by him/her and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Police Inspector or Excise Inspector.

6. The license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning any reasons therefor.

7. The license-holder shall pay an annual fee that may be prescribed by Government.

Deputy Commissioner,
District.

Dated 194

NOTE.—*One unite represents one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of Beer or Cider.

FORM II.

License granted on medical grounds to persons permanently residing in the Prohibition Areas to possess for personal consumption bottled Foreign Liquor.

Whereas
as applied on medical ground for a license authorising him to possess for personal consumption liquor and to that extent to exempt him from the operation of Government Notification No.
dated June 1948.

And whereas the Deputy Commissioner District, is satisfied that there is good reason for so exempting him and granting him a license and that he will not misuse such license;

Now, therefore, the Deputy Commissioner District hereby permits the said while residing in in which Government Notification No. dated is in force (hereinafter referred to as a Prohibition Area) to possess bottled foreign liquor for his personal consumption from (inclusive) subject to the following conditions to be observed by him :—

1. The privilege extends only to the possession for personal consumption of bottled foreign liquor subject to the limits prescribed below. The license holder should not entertain any other person with liquor.

2. The liquor that may be possessed under this license shall be obtained from places situated outside the Prohibition Areas.

3. The quantity that may be obtained under this license shall not exceed units in a month and the quantity that may be possessed under this license at a time shall not exceed units.

4. Every consignment of liquor imported by the license holder from any place within the Mysore State outside any Prohibition area shall be accompanied by an import pass granted by the Deputy Commissioner of the District. The import pass is necessary even if the license holder accompanies the consignment.

5. No liquor shall be obtained from places outside the State except under a separate permit granted by the Deputy Commissioner or under a permit granted under the Mysore Excise Act. Such permit shall not be granted except on prepayment of a fee prescribed by Government and notified from time to time.

6. When applying to the Deputy Commissioner for an import pass or permit to obtain liquor the license holder shall send this license along with his application and the Deputy Commissioner shall make a note on the reverse of this license, the date of issue of the import pass or permit and the quantity covered by such pass or permit.

7. All bills of purchase of foreign liquor by the license holder shall be preserved by him and shall be produced for inspection on demand by any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector.

8. This license is not transferable and may be cancelled at any time by the Deputy Commissioner without assigning reasons therefor

9. The license holder shall pay an annual fee prescribed by Government from time to time.

10. The license holder shall also, if required, by the Deputy Commissioner at any time during the currency of the license, deposit with the Deputy Commissioner in cash or Government Promissory Notes, such sum as may be prescribed by the Deputy Commissioner as security for the due observance of the conditions of the license. In case of non-observance of the terms of the license, the security so taken shall be forfeited to Government.

Deputy Commissioner,
District.

Place
Dated 19 ,

NOTE.—One Unit means one quart bottle of whisky or other spirits including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

FORM III.

License for the Possession of Foreign Liquor by Non-proprietary Club for supply to Members.

WHEREAS
in the District of has applied for a license to possess liquor and to issue it to such of its members as hold permits authorising them to consume the same, and to that extent to exempt it from the operation of Government Notification No.
dated

And whereas the Excise Commissioner in Mysore is satisfied that there is good reason for so exempting such Club and granting it a license and that the Club will not misuse such license;

Now, therefore, the Excise Commissioner in Mysore, hereby licenses the aforesaid to possess foreign liquor for supply to the members of the Club during the year ending subject to the conditions to be observed by the Club.

1. The privilege extends to the possession of foreign liquor only subject to the limits prescribed below :—

Foreign liquor, if imported in wooden receptacles may be bottled by the licensee in the premises of the club;

2. Liquor shall be supplied only to the members of the Club who hold permits for the possession of such liquor. The supply of liquor may be either for consumption within the premises or for removal therefrom, provided that only liquor bottled and sealed may be removed from the premises.

3. The quantity that may be possessed under the license shall not exceed at any time.

One Unit represents one quart bottle of whisky or other spirit including liquor or 3 quart bottles of wine or vermouth or 12 quart bottles of beer or cider.

4. The Club shall obtain its requirements of foreign liquor from places outside the areas in which the Government Notification No. dated 194 is

in force and no liquor shall be obtained from places outside the Mysore State except under an import pass granted by the Deputy Commissioner, District or under a permit granted under the Mysore Excise Act. Such permits shall not be granted except on prepayment of a permit fee prescribed by Government, from time to time (in addition to the fee mentioned in condition 9).

5. Every consignment of liquor imported by the Club from any place within the Mysore State situated outside the area in which prohibition is in force, shall be accompanied by an import pass granted by the Deputy Commissioner.

6. All bills of purchase of foreign liquor shall be preserved by the Club and produced for inspection on the demand of any officer not below the rank of Deputy Amildar, or Police Inspector or Excise Inspector An account shall be maintained showing receipts of liquor and issues to each license holder.

7. The Secretary or other person in charge of the management of the club shall be responsible for the due observance of the conditions of the license.

8. The license may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

9. The grant of the license is subject to the payment of a fee prescribed by Government and notified from time to time.

10. The Secretary or other persons in-charge of the Management of the Club shall also submit to the Deputy Commissioner on or before the 5th Day of every month, a statement in the following form showing the quantity of liquor supplied in sealed bottles to members during the preceding month :—

(1) Name of Member

(2) Qnantity and description of bottled liquor issued each time;

(3) Date of supply.

Place , Deputy Commissioner,

Dated 194 . District.

FORM IV.

License for the Sale of Brandy and Medicated Wines and similar preparations by Chemists

I, the Deputy Commissioner of.....District, hereby license you to sell brandy imported from foreign countries and medicated wines and similar preparations containing any percentage of alcohol, in your shop at.....during the period .....subject to the following conditions and stipulations to be observed by you.

Explanation.—In this license, the expression 'medicated wines and similar preparations' shall be taken to include all ayurvedic preparations going by the name of 'arishtas' and 'asavas' and all other

preparations in the manufacture of which alcohol is produced by fermentation during the process of manufacture and not by the addition of a cultivated fermenting agent.

(1) The privilege extends only to the sale by chemists on the prescription of a qualified medical practitioner, of brandy either as an ingredient of a mixture or by itself in quantities of not more than two ounces at a time and of medicated wines and similar preparations containing any percentage of alcohol, in sealed bottles in quantities not exceeding one quart at a time.

(2) All brandy and medicated wines and similar preparations sold under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(3) Every consignment of brandy and medicated wines and similar preparations imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(4) True accounts of transactions shall be maintained from day to day in ink in Form A below and shall be preserved for one year after the period covered by the license and shall be produced when called for by the Deputy Commissioner or by any officer authorised by him.

(5) No privilege of supply or sale shall be sold, transferred or sub-rented, nor shall any agent be appointed for the management of any such privilege without the Deputy Commissioner's approval.

(6) An inspection note book in Form B below for Inspecting Officers to enter their remarks shall be maintained and be handed over on demand to any officer authorised by the Deputy Commissioner to receive it on a receipt being given therefore.

(7) Pecuniary dealings of any kind whatever by licensee with any officer of Government are absolutely prohibited.

(8) The licensee shall in addition to the payment of a fixed annual license fee prescribed by Government also pay a permit fee on each permit applied for by him.

(9) If required by the Deputy Commissioner before the issue of or at any time during the currency of the license, the licensee shall deposit with the Deputy Commissioner in cash or Government Promissory Notes such sum as the Deputy Commissioner may prescribe not exceeding the gallonage fees as estimated by the Deputy Commissioner for a period of three months as security for the due observance of the conditions of the license and the prompt payment of the gallonage fees.

(10) With the sanction of the Excise Commissioner in Mysore, the Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee fifteen days' notice of such revocation in which case a proportionate part of the fees will be refunded to the licensee.

ANNEXURE.

FORM A.

Account of brandy and medicated wines and similar preparations containing any percentage of alcohol received and sold by chemists under license No.....of.....

Date	Opening balance		Quantity received		Source of supply	Total quantity on..... received		Quantity sold unmixed (each transaction).			Quantity sold in mixture (each transaction)	Prescription.		Total sold each day			Closing balance			
	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Number and date of letter or advice of each bill	Brandy	Medicated wines and similar preparations	Brandy	Medicated wines and similar preparations whose alcoholic conten is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit.	Brandy	Number and date	Name of medical practitioner	Brandy	Medicated wines and similar preparations whose alcoholic content is equivalent to 42 per cent or more of proof spirit	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 42 per cent but not less than 20 per cent of proof spirit.	Medicated wines and similar preparations whose alcoholic content is equivalent to less than 20 per cent of proof spirit	Total medicated wines and similar preparations	Brandy	Medicated wines and similar preparations	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23

FORM B.

Inspection Note Book.

Shop/Depot No.	Year	Quantity sold/used	Licensee's Name
Village ...			
Taluk ...			
District ...			
Circle ...			
Station ...			

(one page ruled).

This book is the property of Government and must be returned to the Inspector of Police,.....Station, on the expiry of the period of license.

Monthly sale/consumption ... { Maximum stock..... Minimum stock.....

Month	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer	19 —19 In the month Gals./Seer	19 —19 Upto month Gals./Seer
April ...				
May ...				
June ...				
July ...				
August ...				
September				
October ...	(Six pages)		(four pages)	
November				
December				
January ...				
February ...				
March ...				

Remarks.—Punishments inflicted on the licensee (*a*) date of offence, (*b*) date of judgment or order, (*c*) by whom inflicted, (*d*) number of case or order, (*e*) nature of offence and (*f*) punishment.

FORM V.

License to a Medical Practitioner for the possession and use of Brandy for Medicinal purposes.

I, the Deputy Commissioner of.....District, hereby license you.....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you the said..... :—

(1) The privilege extends to the position of brandy for medicinal purposes only.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the Notification applies or from such other source as the Excise Commissioner in Mysore may approve subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the Notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy by the licensee shall be preserved by him and shall be produced for inspection on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Mysore Excise Act and the Notification No.....dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VI.

License to Medical Officers in charge of Hospitals for the possession and use of Brandy for medicinal purposes in Hospitals.

I,.....the Deputy Commissioner of..... District, hereby license you.....to possess brandy imported from foreign countries, during the period.....subject to the following conditions and stipulations to be observed by you:—

(1) The privilege extends to the possession of brandy for *bona fide* medicinal purposes only, for use in the..... hospital.

(2) Brandy shall be dispensed only on prescription duly signed by the licensee as a medical practitioner or by any other medical practitioner working in the hospital in his capacity as such and shall be prescribed only in such cases as the medical profession would generally approve.

(3) The quantity that may be possessed under the license shall not exceed.....at any one time.

(4) All brandy possessed and used under this license shall be obtained from outside any local area to which the notification applies or from such other source as the Excise Commissioner in Mysore may approve and subject to such conditions as he may impose.

(5) Every consignment of brandy imported by the licensee from any place outside the area to which the notification applies shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) All bills of purchase of brandy shall be preserved by the licensee and produced for inspection on the demand of an officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(7) The license shall not be used to evade the provisions or the intent of the Notification No. ..... dated.....

(8) The license is not transferable and may be cancelled at any time by the Deputy Commissioner of the District without assigning any reasons therefor.

FORM VII.

License for the manufacture of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of .....District, hereby license..... (herein called the licensee) to manufacture medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at .... during the period..... subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the manufacture of only the following preparations (hereinafter called the said preparations) :—

Serial No.	*Name of preparation*	*Percentage of ganja or bhang.*
1		
2		
3 &c.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act and the Notification No..... dated..... and the rules, orders made or issued thereunder.

(3) Supplies of ganja or bhang for the manufacture of the said preparations shall, if obtained within the areas in which the Mysore Excise Act is in force, be obtained only from a Taluk Office and transported to the licensed premises only under a permit granted by the Amildar, Taluk Head Accountant or Deputy Amildar.

(4) Every consignment of ganja or bhang imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(5) No quantity exceeding..... ... ganja or bhang shall be possessed by the licensee at any one time.

(6) The licensee shall not keep ganja or bhang or manufacture any of the said preparations therefrom except in the licensed premises.

(7) The sale of ganja or bhang, or its use for other than the manufacture of the said preparations is absolutely prohibited.

(8) The licensee shall indicate on the bottle or other receptacle containing the preparations manufactured by him the proportion of ganja or bhang mixed in the preparations.

(9) The licensee shall not sell or otherwise dispose of the said preparations within the areas in which the Mysore Excise Act is in force, except to a person licensed to possess and sell the same.

(10) The licensee shall maintain true accounts of transactions under the license in the appended form. Permits obtained from a Taluk Office shall be carefully filled in support of the accounts. The accounts and permits shall be preserved for a period of two years. All stock of ganja or bhang and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(11) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(12) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(13) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,
.....*District.*

Station.....
Date.....

Form of Account to be maintained by Licensees manufacturing medicinal preparations containing Ganja or Bhang.

	Ganja or Bhang				Medicinal preparations			
Month and date	Opening balance	Quantity received this day, whence received and number and date of permit	Quantity issued for manufacture of medicinal preparations	Balance in stock	Opening balance	Quantity manufactured this day	Quantity received this day	Quantity sold
	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.	S. T.

FORM VIII.

License for the possession and sale of *bona fide* medicinal preparations containing Ganja or Bhang.

I, the Deputy Commissioner of.....District, hereby license.....(hereinafter called the licensee) to sell medicinal preparations containing ganja or bhang specified in condition (1) of this license in the premises at.....during the period .....subject to the following conditions and stipulations to be observed by the licensee :—

(1) This privilege extends to the possession for sale and sale of only the following preparations (hereinafter called the said preparations) :—

Serial No.	Name of preparation	Percentage of ganja or bhang.
1.		
2.		
3. etc.		

(2) The licensee shall be bound by the provisions of the Mysore Excise Act, and the rules, orders and notifications made or issued thereunder.

(3) The said preparations shall not be sold except on prescription duly signed by a registered medical practitioner in Indian medicine or if the licensee is himself a registered medical practitioner in Indian medicine, on prescription duly signed by him.

(4) The said preparations shall, if obtained within an area in which the Mysore Excise Act is in force, be obtained only from a person who has been licensed to manufacture or sell such preparations.

(5) Every consignment of the said preparations imported by the licensee from any place outside the area in which the Mysore Excise Act is in force shall be accompanied either by the licensee or by an import pass granted by the Deputy Commissioner.

(6) The licensee shall not keep for sale or sell the said preparations except on the licensed premises.

(7) The licensee shall maintain true accounts of transactions under the license in the appended form. The accounts and prescriptions shall be preserved for a period of two years. All stock of the said preparations and accounts and all records of transactions shall be open to inspection by any Excise Inspector or any officer of the Police Department not lower in rank than a Sub-Inspector or of the Revenue Department not lower in rank than a Revenue Inspector.

(8) The licensee shall, on the requisition of the Deputy Commissioner or any officer duly authorised by him, deliver up his license for amendment or for issue of a fresh license.

(9) The Deputy Commissioner may at his discretion revoke the license at any time after giving the licensee 15 days' notice of such revocation, in which case a proportionate part of the fee paid will be refunded to the licensee.

(10) A fee of Rs. 5 per annum shall be paid for each license.

Deputy Commissioner,

.....*District.*

Station.....

Date.....

Form of Account to be maintained by Licensees possessing and selling preparations containing Ganja or Bhang.

Opening Balance	Quantity received this day and whence received	Quantity sold	Prescription	
			Number and date	Name of medical practitioner
S. T.	S. T.	S. T.		

FORM IX.

Sacramental Wine—Authority No. I.

Authority for the possession, use and issue of sacramental wine for the year.....

To the Bishop of.....

The Bishop of.....or his successor in office is hereby authorised to possess and use for religious purposes sacramental wine in casks or in bottles and to issue the same to the priests within his jurisdiction or to any visiting priest of the community for religious purposes in accordance with ancient custom subject to the following conditions :—

(1) Wine shall be issued for sacramental purposes only and under the personal control of the Bishop, to priests who hold authorities for its possession and use or to visiting priests from areas to which the Notification No..... dated..... .....has not been extended, who stand in need of wine for sacramental purposes, and to none else or for any other purpose.

(2) Wine issued under the terms of this authority may be transported under a covering certificate issued by the Bishop.

(3) All requirements of wine shall be obtained from places outside the areas in which the said Notification is in force and no wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act under Section 6. Such authority shall not be granted except on prepayment of a gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(4) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(5) All bills for the purchase of wine shall be preserved and produced for inspection on demand by any Excise Officer not below the rank of District Excise Officer or by any police officer not below the rank of District Superintendent of Police. An account shall be maintained of all receipts and all expenditure and issues of wine.

(6) This authority should be used only for the purpose for which it is issued. Neither this authority nor the liquor covered by it should by carelessness or otherwise be permitted to be used by any one for other purposes. Abuse should be carefully guarded against.

(7) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

Sacramental Wine—Authority No. II.

Authority for the possession and use of sacramental wine for the year.....

To..... .....of.....or his successor in office, residing at.....is hereby authorised to possess wine for use only for religious purposes in accordance with ancient custom subject to the following conditions:—

(1) The wine that may be possessed under this authority shall be obtained from he Bishop of.....District / places situated outside the areas in which the prohibition is in force.

No wine shall be obtained from places outside the State of Mysore except under a separate authority granted by the Deputy Commissioner of the District or granted under the Mysore Excise Act..... Such authorities shall not be granted except on prepayment of gallonage fee at the rate of Rs. 2-4-0 per imperial gallon or six quart bottles of wine or at such rates as the Government may notify from time to time under the Mysore Excise Act.

(2) Every consignment of liquor imported under this authority from any place within the State of Mysore situated outside the area in which the prohibition is in force shall be accompanied either by the holder of this authority or by a separate import authority granted by the Deputy Commissioner.

(3) All bills for the purchase and all advices for the receipt of wine shall be preserved and produced for inspection on the demand by any Revenue Officer not below the rank of Deputy Amildar or by any Police officer not below the rank of Inspector or by an Excise Inspector.

(4) An account shall be maintained of all receipts and expenditure of wine under this authority and shall be produced on the demand of any officer not below the rank of Deputy Amildar or Inspector of Police or Excise Inspector.

(5) This authority should be used only for the purpose for which it is issued. Neither this authortiy nor the liquor covered by it should by carelesness or otherwise be permitted to be used by any one for other purposes and abuse should be carefully guarded against.

(6) This authority will cover every use to which sacramental wine is put according to the religious custom of the denomination concerned.

No. S. D. 654—C. 100-47-84, dated Bangalore, the 26th July 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to make the following Order, namely :—

1. (1) This order may be called the Bangalore Foodgrains Transport Control Order, 1948.

(2) It extends to the whole area of the Civil Station, Bangalore.

(3) It shall come into force from the date of publication of the Order.

2. In this Order, foodgrains shall mean paddy, rice, ragi, jola, wheat or wheat products and minor millets, *viz.*, haraka, navane, save, sojee.

3. No foodgrains shall be exported from the Civil Station, Bangalore, to any place out side the Mysore State except under and in accordance with the terms of a permit granted by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

4. Any infringement or disobedience of this Order or any attempt or abetment thereof shall be punishable with imprisonment of either description up to three years or with fine or with both and the articles involved in the offence shall also be liable to be confiscated to Government.

No. S.D. 663—C. 39-47-91, dated 27—28th July 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1947 (XXIV of 1946) as applied to the Civil and Military Station, Bangalore, and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in Notification No. 1—1946 (FD), dated 18th January 1946, issued by the Collector and Controller of Civil Supplies, Civil Station, Bangalore.

AMENDMENT.

In the Schedule annexed to the said Notification, *for* the existing Serial No. 14-A, *substitute* the following :—

Sl. No.	*Name of commodity.*	*Wholesale price.* Rs. a. p.	*Retail price.* Rs. a p.
14-A	... Australian Flour ...	35 14 0 per bag of 150 lbs. gross.	0 4 0 per lb.

This amendment shall come into force with immediate effect.

No. S.D. 708—R. 17-48-2, dated Bangalore, 28th July 1948.

Under Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station, Bangalore and continued in the Civil Station, Bangalore, by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the following amendment shall be made in the Civil and Military Station, Bangalore Rationing Order, 1946.

For Clause 2, *substitute* the following :—

"No person shall have in his possession at any time a stock of any rationed article exceeding his requirements for six weeks at the rate of twelve ounces per day for every person of and above eight years of age and six ounces per day for every person under eight years of age included in his family ration card or institution ration card, as the case may be.

Provided that nothing contained in this clause shall apply to stocks held by dealers and stocks transported by dealers to their authorised places of business under permits from the issuing authority and to stocks covered by special permits from the issuing authority or the Collector."

This will come into force from the date of publication of this Notification.

ERRATUM.

No. S.D. 717—C. 21-47-166, dated Bangalore 28th July 1948.

In Government Notification No. S.D. 10087—C. 21-47-148, dated 8th June 1948, promulgating the Bangalore Kerosene Control Order, 1948, *for* the figure "*7391*" occurring after the words "Notification No. S.D." in line six in the preamble to the said Notification, *read* "7371."

SAFI DARASHAH, *Secy., Food & Civil Supplies.*

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. W. 180—48, dated Bangalore, the 10th August 1948.

In exercise of the powers conferred by clause (*bb*) of sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, the Government of His Highness the Maharaja are pleased to direct that the following amendment shall be made in the Mysore House Rent and Accommodation Control Order, 1948, and to direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of the amendment shall be given to the public by the publication of the same in the Official Gazette and by the issue of a Press Note explaining its provisions, namely :—

In sub-clause (2) of clause 2 of the said order, for the words "the Bangalore and Mysore Cities", the words "the District Headquarter Towns and in the Cities of Bangalore, Mysore and Davangere" shall be substituted.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. E.1074—Edn. 98-47-7, dated Bangalore, the 3rd August 1948.

In exercise of the powers conferred by Section 42 of the Mysore Elementary Education Act VI and in supersession of the Mysore Compulsory Education Rules, 1947, the Government of His Highness the Maharaja of Mysore are pleased to make the following rules to carry out the purposes of Chapter VI of the said Act.

1. These rules may be called the Mysore Compulsory Education Rules, 1948.

2. The following schools are recognised for the purposes of Chapter VI of the Mysore Elementary Education Act, 1941 :—

I. All Government and Aided Institutions giving instruction upto and including the IV Year Primary Class as defined in the Mysore Education Rules; and

II. Other institutions specially recognised by the Director of Public Instruction and notified in the *Mysore Gazette.*

3. The period of attendance at school required under the Act shall be not less than 60 per cent of the working days in the year beginning with the 1st of June each year, and not less than 3 hours on each day of attendance: provided that the Director of Public Instruction in Mysore may fix other periods of attendance in special cases.

4. The Attendance Officer of the Compulsory Education area is authorised to grant certificates of exemption from attendance to children already attending elementary schools on requisition from their parents or guardians after properly satisfying himself of the existence of a reasonable excuse for non-attendance. Exemption certificates shall be in the form appended to these rules and printed copies of the form can be had in duplicate free of cost from the Attendance Officer of the area concerned. Any person wishing to obtain a certificate will get the form in duplicate and produce it to the authority empowered to grant such certificates. The latter will hand over one copy to the applicant and retain the other.

5. No certificates shall hold good for a period exceeding one year.

6. The Compulsory Education Committee in a village will be the Village Panchayet, the Chairman of the Committee being the Chairman of the Village

Panchayet. In Municipal areas it shall be competent for the President of the Municipality concerned to empanel a Committee with the concurrence of the Director of Public Instruction in Mysore.

7. The names of the members of the Compulsory Education Committee in Municipalities shall be notified in the official Gazette by the Director of Public Instruction in Mysore.

8. The term of the Compulsory Education Committee shall expire with that of the Village Panchayet or the Municipal Council concerned, provided that the Committee shall be deemed to continue until a new Village Panchayet or Municipal Council is constituted for the area.

9. For each area in which Chapter VI of the Mysore Elementary Education Act, 1941, is brought into operation, there shall be one or more Attendance Officers attached to the Office of the Inspector of Schools in charge of the area.

10. (1) The duties of an Attendance Officer shall include the checking of attendance reports, scrutiny and issue of exemption certificates, issue of warning notices, institution of prosecutions and such other duties as the Director of Public Instruction in Mysore may from time to time assign to the Attendance Officer.

(2) Whenever the Attendance Officer is satisfied that a pupil who ought to attend school does not do so without lawful exemption, he shall, after due warning in writing, served on the parent or guardian under his signature make a complaint against the parent or guardian of the child before a Magistrate having jurisdiction under Section 29 of the said Act.

(3) It shall also be within the competence of the Attendance Officer to institute a prosecution under Section 30 of the Act.

(4) The Attendance Officer shall act as Secretary to the Compulsory Education Committee.

11. The powers and duties of the Compulsory Education Committee are as follows :—

(i) They shall consider the educational needs of the area for purpose of implementing the provisions of the Act and make their recommendation to the Inspector concerned.

(ii) They shall maintain an up-to date list of all children of the age of 6 and of those who have joined and

have to join the school and shall secure their admission at school by all persuasive means.

(iii) They shall send to the Inspector of Schools concerned a half-yearly return of the list of such children.

(iv) The Compulsory Education Committee shall meet once at least every month A member of the Compulsory Education Committee in a Municipal area who fails to attend three meetings consecutively shall be considered to have vacated his seat unless the absence is condoned by the President of the Municipality concerned. Any casual vacancy occurring in a Municipal Compulsory Education Committee will be filled up by the President of the Municipality for the remaining period of the term of any member whose seat has become vacant. The absence of any member at the meeting of the Village Panchayet Attendance Committee will be governed by the Rules under the Village Panchayet Act.

(v) An extraordinary meeting shall be held at any time on the written requisition of three members of the Committee addressed to the Attendance Officer.

(vi) The quorum to be fixed by the Committee shall consist of not less than three members.

(vii) Every question shall be decided by a majority of votes of the members present and voting on the question.

(viii) The names of the members present and in the case of a division, the names of those voting upon each question shall be recorded in the Minute Book.

(ix) If, at any meeting, the Chairman is not present at the time appointed to hold the same, the members present shall choose one of the members present to be the Chairman of such meeting.

(x) In case of an equality of votes at any meeting, the Chairman of such meeting shall have a second or casting vote.

(xi) A copy of the proceedings of every meeting shall be sent to the Inspector concerned.

(xii) The Heads of all recognised schools shall be bound to furnish all information which the Attendance Officer or the Compulsory Education Committee may reasonably require in the discharge of his or its duties.

12. Should a child already enrolled in an Elementary School be absent without proper reasons for seven days continuously the Head of the school concerned will

notify the fact to the Attendance Officer and the Chairman of the Village Compulsory Education Committee.

13. The Director of Public Instruction in Mysore may issue from time to time such subsidiary instructions as may be needed for the effective carrying out of the provisions of this Act and all communications regarding matters requiring orders of Government shall be made through him.

A. C. NIRVANI GOWDA
Secy. to Govt., Edn. Dept.

Exemption Certificate.

.....District.....Taluk
.....Village.

Name of parent and address	Name of child	Age of child	Reason for exemption	Period of exemption.

Station.....

Dated..... Attendance Officer.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. T. 708—R. T. 40-47-3, dated Bangalore, 19th August 1948.

In exercise of the powers conferred by Section 3 of the Essential Supplies (Temporary Powers) Act, 1946 (XXIV of 1946), as applied to the Civil and Military Station of Bangalore, and continued by the Retrocession (Application of Laws) Act, 1947, the Government of His Highness the Maharaja are pleased to direct that the Bangalore Motor Vehicles Spare Parts Control Order, 1944, as in force in the Retroceded Area shall be cancelled.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

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EXTRAORDINARY

BANGALORE, WEDNESDAY, SEPTEMBER 1, 1948

NOTIFICATIONS.

No. Fl. 2056—S. T. 5-48, dated Bangalore, 1st September 1948.

In exercise of the powers conferred by section 6 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are hereby pleased to direct that the articles specified hereunder shall be exempt throughout Mysore from payment of tax under this Act at all points other than the point at the time of the first sale after their manufacture or import into Mysore State.

1. Cigarettes.
2. Cheroots.
3. Beedies.
4. Snuff.

No. Fl. 2057—S. T. 5-48, dated Bangalore, 1st September 1948.

In exercise of the powers conferred by section 8 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to notify the following further list of finished articles of industrial manufacture as those in respect of which a rebate shall be allowed under the said section.

1. Cigarettes.
2. Cheroots.
3. Beedies.
4. Snuff.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

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EXTRAORDINARY

BANGALORE, WEDNESDAY, SEPTEMBER 1, 1948

NOTIFICATION.

No. Fl. 2051—S. T. 5-48, dated Bangalore, 1st September 1948.

In exercise of the powers conferred by section 25 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are hereby pleased to make the following rules, the same having been previously published in the Official Gazette as required by sub-section (4) of section 25 of the said Act.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

RULES UNDER THE MYSORE SALES TAX ACT, 1948.

RULES.

Part I—Preliminary.

1. These rules may be called the Mysore Sales Tax Rules, 48. **Short Title.**

2. They shall come into force on the 1st day of September 48. **Commencement.**

3. In these rules, unless there is anything repugnant in the subject or context— **Definitions.**

(*a*) "the Act" means the Mysore Sales Tax Act, 1948;

(*b*) "Assistant Sales Tax Officer" means any person appointed by the Government by name or by virtue of his office, to exercise the powers of an Assistant Sales Tax Officer;

(*c*) "Sales Tax Officer" means any person appointed by the Government by name or by virtue of his office, to exercise the powers of a Sales Tax Officer;

(*d*) "Deputy Commissioner of Sales Tax" means any person appointed by the Government, by name or by virtue of his office, to exercise the powers of a Deputy Commissioner of Sales Tax;

(*e*) "Commissioner of Sales Tax" means a person appointed by the Government, by name or by virtue of his office, to exercise the powers of a Commissioner of Sales Tax.

(*f*) "Form" means a form appended to these rules;

(*g*) "Government treasury" means in relation to a dealer registered within the jurisdiction of any Sales Tax Officer, the treasury of the district or taluk where the dealer's place of business or, if he has more than one such place, where his chief place of business, within that jurisdiction is situated;

(*h*) "Place of business" means any place where a dealer sells any goods or keeps accounts of sales;

(*i*) "Licensing authority" means the authority competent to issue licences under Sections 5, 6 and 9;

(*j*) "Month" means a calendar month;

(*k*) "Quarter" means a quarter ending on the 30th September, 31st December, 31st March or 30th June; and

(*l*) "Section" means a section of the Act.

Definition of person dealing exclusively in cloth woven on handlooms wholly with handspun yarn.

4. For the purposes of these rules a person who deals i cloth woven on handlooms wholly with handspun yarn ar other goods which are not cloth of any other description, sha be deemed to be a person dealing exclusively in cloth woven o handlooms wholly with handspun yarn in so far as his dealin in cloth are concerned.

Part II—Licences.

Persons entitled to licences.

5. (1) Every person who—

(*a*) deals in cotton and/or cotton yarn other than ha spun yarn and/or handspun yarn, or

(*b*) deals exclusively in cloth woven on handlooms wh with handspun yarn, or

(*c*) deals in cloth woven on handlooms wholly or pa with mill yarn, or

(*d*) deals in bullion and/or specie, or

(*e*) deals in hides and/or skins whether as a tanner otherwise, or

(*f*) for an agreed commission or brokerage, buys and sells goods of any description on behalf of known principa

shall, if he desires to avail himself of the exemption provided in sections 5 and 9 or of the concession of taxation only at a single point or of taxation at the rate specified in section 5, submit an application in Form I for a licence in respect of each of his places of business to the authority specified in sub-rule (2) so as to reach him not later than the 15th day of September 1948:

Provided that in the case of a business which is commenced after the 1st day of September 1948, the dealer shall submit the application for the licence to such authority so as to reach him not later than fifteen days from the date of commencement of his business.

NOTE.—*The agent of a person* (including a firm) *outside Mysore* is in respect of transactions on behalf of such person a dealer for all the purposes of the Act and the rules made thereunder and is *not eligible for a licence* under Section 9 in respect of such transactions.

(2) The application shall be submitted—

(i) to the assessing authority if the applicant is liable to tax or taxes under the provisions of the Act and the rules made thereunder, and

(ii) to the Assistant Sales Tax Officer having jurisdiction over the principal place of business, in *other cases*.

Licences how issued.

6. (1) Every licence shall cover one place of business only and shall expire on the 30th day of June of the year in respect of which it is granted, but may be renewed for periods not exceeding one year at a time on receipt of an application from the licensee.

(2) Notwithstanding anything contained in sub-rule (1), a licence shall, in addition to the licensee's place of business, cover such shandies as may be entered in the licence, provided (that the said shandies shall be within the district in which the licensee's place of business is situated and) that the turnover at the said shandies shall be included in the turnover at the licensee's place of business.

(3) Every application for renewal shall be submitted in Form I so as to reach the licensing authority not later than the 31st July of the year for which the renewal is required.

(4) If an application for the grant or renewal of a licence is received after the date prescribed therefor, the license shall not ordinarily be granted or renewed with effect from a date prior to the date of the receipt of the application and shall expire on the 30th day of June of the year in respect of which it is granted or renewed:

Provided that the Deputy Commissioner of Sales Tax of the Division may, in any deserving case, direct the licensing authority to accept an application for the grant or renewal of a licence received after the prescribed date and issue the licence with retrospective effect on the applicant's paying as penalty such

sum not exceeding the following limits, as may be fixed by the Deputy Commissioner of Sales Tax, namely :—

(a) Rs. 50, in a case where the licence is issued free of fee, that is, for cloth woven on handlooms wholly with the handspun yarn ;

(b) nine times the licence fee in addition to the usual license fee, in all other cases.

(5) (a) The fees for the grant or renewal of a licence shall subject to a maximum of Rs. 1,000 be as follows :—

	If the turnover is Rs. 10,000 and above but does not exceed Rs. 20,000 per annum	If the turnover exceeds Rs. 20,000 but does not exceed Rs. 1,00,000 per annum	For every additional turnover of one lakh or a fraction thereof
	Rs.	Rs.	Rs.
(i) For dealing in cotton and/or cotton yarn other than handspun yarn and/or handspun yarn.	75	150	100
(ii) For dealing in cloth woven on handlooms wholly or partly with mill yarn.	25	50	
(iii) For dealing in bullion and/or specie.	75	150	
(iv) For dealing in hides and/or skins whether as a tanner or otherwise.	25	50	
(v) For dealing as specified in section 9.	100	200	

(b) No fee shall be payable for the grant or renewal of a licence for dealing exclusively in cloth woven on handlooms wholly with handspun yarn.

(c) The licence fee specified in clause (a) on the estimated turnover shall be payable in advance along with the application for the grant or renewal of a licence and the fee so paid shall be provisional and shall be subject to revision and adjustment in the manner provided in these rules.

(d) Every applicant for the grant or renewal of a licence shall enclose with his application a treasury receipt or a cheque in favour of the licensing authority for the amount of the fees.

(6) The licensing authority receiving the application may, if he is satisfied that the information furnished in the application is correct and complete and that the correct fee has been paid and that the applicant is eligible for the licence applied for, grant or, as the case may be, renew a licence in such one of the Forms II to V as may be appropriate to his case.

If the information furnished in the application appears to be incorrect or incomplete or if the correct fee has not been paid, the licensing authority shall, before granting or renewing a licence, make such enquiry as he considers necessary and after giving the applicant an opportunity as provided in rule 14 of proving the correctness and completeness of the information so furnished, determine the estimated turnover to the best of his judgment and assess the fee provisionally payable in accordance with the scale laid down in sub-rule (5) and shall serve upon the applicant a notice of demand and the applicant shall pay the sum demanded at the time and in the manner specified in the notice. On payment by the applicant of the sum demanded in the notice, the licensing authority may, if he is satisfied that the applicant is eligible for the licence applied for, grant or renew a licence in such one of the Forms III to V as may be appropriate to his case.

(7) Every licence granted or renewed under these rules shall be deemed to have been issued personally to the licensee. No licence shall be sold or transferred.

(8) Where a licensee transfers his business to another person, the transferee shall obtain a fresh licence under these rules, but it shall be granted free of fee for the unexpired portion of the period covered by the original licence.

(9) Where a licence granted or renewed under these rules is lost or accidentally destroyed, a duplicate of the licence may be issued by the licensing authority on payment of a fee of one rupee.

(10) Every licensee under section 9 shall submit to the licensing authority on or before the first day of August a return in Form VI for the year ending 30th June immediately preceding.

(11) Every licensee other than a tanner or dealer in hides or skins shall, unless he submits returns under rule 17 or 20 submit on or before the 20th day of September in every year to the licensing authority a return in Form VII of the turnover for the preceding year of all the business done by him.

(12) (*a*) On receipt of the return in Form VI or Form VII or the return or returns submitted under Rules 17, 20 or 22 the licensing authority shall, if he is satisfied after such scrutiny of the accounts of the licensee and after making such enquiries as he considers necessary, that the return or returns are correct and complete, determine on the basis of the return or returns the turnover of dealings in respect of which the

licence was issued and finally assess the licence fee payable for the year to which the licence related in accordance with the scale laid down in sub-rule (5).

(*b*) If no return or returns are submitted, or if the return or returns submitted appear to the licensing authority to be incorrect or incomplete, the licensing authority shall, after following the procedure laid down in rules 14 and 15 determine the turnover dealings in respect of which the licence was issued and finally assess the licence fee payable for the year to which the licence related in accordance with the scale laid down in sub-rule (5).

(*c*) If the licence fee as finally assessed under this sub-rule is greater than the licence fee provisionally paid under sub-rule (5) or sub-rule (6), the licensing authority shall serve upon the licensee a notice of demand and the licensee shall pay the sum demanded at the time and in the manner specified in the notice. If the licence fee as finally assessed is lower than the licence fee provisionally paid under sub-rule (5) or sub-rule (6), the licensing authority shall refund the amount due to the licensee.

(*d*) The benefit of sections 5 and 9 may be claimed only after paying the balance of licence fee, if any, demanded under clause (c).

Benefit of sections 5 and 9 when claimable.

7. Subject to the provisions of section 7, the benefit of sections 5 and 9 may be claimed only for the transactions carried on during the period covered by a licence.

Cancellation of licence.

8. Every licence granted or renewed under these rules shall be liable to cancellation by the licensing authority in the event of a breach of any of the provisions of the Act, or of the rules made thereunder or of the conditions of the licence.

Part III—Assessment.

Stage at which tax leviable in the case of sale of cottons yarn, bullion and specie and newspapers.

9. Subject to the provisions of section 5—

(i) the sale of cotton yarn other than handspun yarn, shall be liable to tax under section 3 (1) when sold by a person who in Mysore is the first dealer in such mill yarn who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a transaction is not liable to taxation under this clause shall be on the dealer ;

(ii) the sale of bullion and specie shall be liable to tax under section 3 (1) when sold by a person who in Mysore is the first dealer in such bullion and specie who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a transaction is not liable to taxation under this clause shall be on the dealer ;

(iii) the sale of a newspaper shall be liable to tax under section 3(1) when sold by a person who in Mysore is the first

dealer in such newspaper who is not exempt from taxation under section 3 (3) :

Provided that the burden of proving that a transaction is not liable to taxation under this clause shall be on the dealer.

Stage at which tax leviable in the case of sale of goods mentioned in items (i) to (vii) of section 3 (2).

10. The sale of any of the goods mentioned in items (i) to (vii) in section 3, sub-section (2), shall be subject to the tax specified in that sub-section at the stage of sale by the person who in Mysore is the first dealer in such goods, who is not exempt from taxation under section 3 (3).

Registration of dealer

11. (1) Every dealer carrying on business in any year shall submit his application for registration under section 10 to the assessing authority of the area in which his principal place of business is situated, before the expiry of the month succeeding that in which his turnover in that year reached Rs. 7,500.

(2) Any dealer who is not bound to submit an application for registration under sub-rule (1) may, if he so desires, apply for registration under section 10 to the assessing authority of the area in which his principal place of business is situated.

(3) Every application under sub-rule (1) shall be made in Form VIII-6 and every application under sub-rule (2) in Form VIII-7.

(4) Each application for registration shall be accompanied by a receipt from a Government treasury or a cheque or a money order in favour of the assessing authority for Rs. 6.

(5) The assessing authority receiving the application shall, if he is satisfied that the prescribed fee has been paid, grant a certificate of registration in Form VIII-8.

(6) Every registered dealer shall, until his registration is cancelled, pay the fee of Rs. 6 specified in sub-rule (4), for every year subsequent to that in which he applied for registration, on or before the 1st August of that year.

(7) A registered dealer may collect amounts by way of tax or taxes under the Act subject to the following conditions :--

(i) He shall not collect any amount or amounts by way of tax or taxes under the Act at a rate or rates exceeding the rate or rates specified in section 3 or 5 or notified under section 6 (1).

(ii) He shall pay in full the amount or amounts collected by him by way of tax or taxes to the Government *on or before the 31st July* of the year succeeding that in which such collection is made.

(8) The assessing authority may call for and examine the accounts of the registered dealer for the purpose of satisfying himself that the dealer has paid in full the amount or amounts collected by him by way of tax or taxes, as required by condition (ii) in sub-rule (7) :

Provided that this power shall be exercised before the end of the year next succeeding that in which the collections were made,

(9) If the assessing authority is satisfied that any amount or amounts collected by the dealer by way of tax or taxes have not been paid by him to the Government in any year as required by condition (ii) in sub-rule (7), the assessing authority shall issue a notice to the dealer in Form IX-2 specifying therein the total sum so withheld by the dealer and the dealer shall pay such sum at the time and in the manner specified therein.

Returns.

12. (1) Every dealer carrying on business on the first day of September 1948 shall before the 15th day of September 1948, submit to the assessing authority of the area in which his principal place of business is situated.

(*a*) if he was carrying on business during the whole of the year ending the 30th day of June 1948 and his net turnover for that year is not less than Rs. 10,000, a return of his gross and net turnover for that year in Form VIII; or

(*b*) if he was not carrying on business during the whole of the said year, a return in Form VIII-1 showing—

(i) his gross and net turnover for the first twelve months of his business in case he was carrying on business for a period of not less than twelve months before the 1st day of September 1948, and in case his net turnover for the first twelve months of his business is not less than Rs. 10,000; or

(ii) his estimated gross and net turnover for the first twelve months of his business in case he was not carrying on business for a period of twelve months before the said date and in case his estimated net turnover for the first twelve months of his business is not less than Rs. 10,000.

(2) Every dealer commencing business after the first day of September 1948 whose *estimated* net turnover for the first twelve months of his business is not less than Rs. 10,000, shall within thirty days of commencing his business submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII-1 showing his estimated gross and net turnover for the first twelve months of his business.

(3) Every dealer commencing business who has not submitted a return under sub-rule (2), but whose turnover *reaches* Rs. 10,000 within the first twelve months of the commencement of his business, shall within thirty days of the day on which his turnover reaches Rs. 10,000, submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII-1.

Provisional Assessment.

13. If the assessing authority, after making such scrutiny of the accounts of the dealer and such enquiry as such authority may consider necessary, is satisfied that the return submitted under rule 12 is correct and complete, he shall fix provisionally

on the basis of the return the annual tax or taxes payable at the rate or rates specified in Section 3 or 5 or notified under Section 6 (1).

14. If no return is submitted by the dealer as required by rule 12 or if the return submitted by him appears to the assessing authority to be incorrect or incomplete, the assessing authority shall, after making such enquiry as he considers necessary, determine the turnover of the dealer to the best of his judgment and fix provisionally the annual tax or taxes payable at the rate or rates specified in Section 3 or 5 or notified under Section 6(1).

Power of assessing authority to determine turnover to the best of his judgment when no return is submitted or the return is incorrect or incomplete.

15. Where any return submitted by a dealer appears to the assessing authority to be incorrect or incomplete, the assessing authority shall, before taking action under rule 14, issue a notice to the dealer calling upon him to produce his accounts and prove the correctness and completeness of his return at a time and place to be specified in the notice.

Notice to issue to dealer before taking action under rule 14 when incorrect or incomplete return is furnished.

16. As soon as the tax has been provisionally fixed under rule 13 or rule 14 the assessing authority shall issue to the dealer a notice in Form VIII-2 and the dealer shall pay for each quarter of the year of assessment one-fourth of the tax provisionally fixed at the time and in the manner specified in the notice, the quarterly instalments due for the quarter preceding the date of the notice being paid in a lumpsum.

Notice of provisional assessment and demand for payment of tax.

17. (1) Every dealer liable to submit a return under rule 12 except those who have elected to be assessed by the method described in rule 20 shall, on or before the first day of August in every year, submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII showing the actual gross and net turnover for the preceding year and the amounts by way of tax or taxes actually collected during that year.

Annual returns and final assessments.

Every dealer not liable to submit a return under rule 12, who has a net turnover of not less than Rs. 10,000 in any year, shall unless he has elected to be assessed by the method described in rule 20 submit to the assessing authority of the area in which his principal place of business is situated a return in Form VIII showing the actual gross and net turnover for that year and the amount by way of tax or taxes actually collected during the year on or before the 1st day of August of the succeeding year and thereafter for every year on or before the 1st day of August immediately following such year.

(2) On the receipt of a return in Form VIII the assessing authority shall, if he is satisfied after such scrutiny of the accounts and such enquiry as he considers necessary that the return is correct and complete, finally assess on the basis of the return the tax or taxes payable under Section 3, 5 or 11 (2) or under the notification or notifications issued under section 6 (1) for the preceding year.

(3) If no return is submitted or if the return submitted appears to the assessing authority to be incorrect or incomplete, the assessing authority may, after following the procedure prescribed in rules 14 and 15, finally assess the tax according to the best of his judgment.

(4) The assessing authority shall, as soon as may be after the 1st August of each year,

(*a*) make a provisional assessment for the current year on the basis of the return received from the dealer under sub-rule (1) or, if such return is not submitted on or before the 1st August or if the return so submitted appears to the assessing authority to be incorrect or incomplete, according to the best of his judgment;

(*b*) issue to the dealer a notice in Form VIII-2.

Until an assessee receives such notice of provisional assessment, he shall continue to pay tax as in the preceding year, unless he is not liable to pay tax in the current year. Any tax so paid shall be adjusted when the provisional assessment for the year has been fixed.

Adjustments.

18. If the final assessment made under sub-rule (2) or (3) of rule 17 is greater than the provisional assessment made under rule 13, rule 14 or sub-rule (4) of rule 17, the assessing authority shall serve upon the dealer a notice in Form IX and the dealer shall pay the sum demanded at the time and in the manner specified in the notice. If the final assessment is lower than the provisional assessment, he shall serve upon the dealer a notice in Form X.

Amount of tax to be rounded by omitting annas and pies.

19. The amount of tax or taxes provisionally fixed for a year under rule 13, 14 or 17 and the instalments specified in the notice in Form VIII-2 issued under rule 16 or 17 shall, if they include annas and pies, be rounded by omitting the annas and pies.

Alternative procedure.

20. (1) In lieu of the method of assessment described in rule 13 to 18 the method described in sub-rules (2) to (5) may, at the option of the dealer, be adopted at any time in the case of dealers whose net turnover exceeds Rs. 40,000. If the dealer desires that this method of assessment should be applied to him from the beginning of any year, he shall, intimate his desire to the assessing authority at the time of submitting the return prescribed in rule 12 or thereafter before the 1st of July in any year. If, however, he exercises the option after the commencement of any year he shall, along with the intimation of his exercise of such option, submit to the assessing authority a return in Form VIII-3 showing the gross and net turnover for the period commencing from the beginning of that year *up to the end of the quarter immediately preceding* and the tax or taxes actually collected during that period, and shall therewith forward a receipt from a Government treasury or a cheque in favour of

the assessing authority for the full amount of the tax or taxes payable by him for such period after deducting therefrom any tax or taxes which he might have paid for that year under rule 16.

(2) The dealer shall submit to the assessing authority within a month after the close of the quarter, a return in Form VIII-3 showing the gross and net turnover for that quarter and the amount or amounts actually collected by way of tax or taxes during that quarter. Along with the return he shall also submit a receipt from a Government treasury or a cheque in favour of the assessing authority for the full amount of the tax or taxes payable for the quarter to which the return relates, under Section 3, 5 or 11 (2) or under the notification or notifications issued under Section 6 (1).

(3) On receipt of the return and of the receipt or cheque referred to in sub-rule (2) the assessing authority shall, after such scrutiny of the accounts and after making such enquiry as he considers necessary, satisfy himself that the return is correct and complete and that the correct amount of tax or taxes has been paid.

(4) If no return is submitted in respect of any quarter before the last day of the succeeding month or if the return is submitted without a receipt or cheque for the full amount of the tax payable or if the return submitted appears to be incorrect or incomplete, the assessing authority shall, after making such enquiry as he considers necessary, and after giving the dealer an opportunity as prescribed in rule 15 of proving the correctness and completeness of his return where one has been submitted, determine the turnover to the best of his judgment and assess the tax or taxes payable for the quarter and shall serve upon the dealer a notice in Form IX—1, and the dealer shall pay the sum demanded at the time and in the manner specified in the notice.

(5) If at the time of the receipt of the return referred to in sub-rule (3) or of the issue of the notice in Form IX—1 referred to in sub-rule (4) or subsequently, it is found that the amount paid by the dealer is in excess of the correct amount payable under Section 3, 5 or 11(2) or under the notification or the notifications issued under Section 6(1), such excess shall at the option of the dealer, be credited towards the tax or taxes, if any, payable by him for succeeding quarters or be refunded to him.

Reasons to be given if turnover is determined at a figure other than that given in the return.

21. If in any case the assessing authority determines the turnover at a figure different from that shown in a return submitted under the provisions of these rules, he shall record his reasons briefly in writing and shall furnish the assessee with a copy of such records. Nothing contained in this rule shall affect the validity of any assessment duly made.

Special rules for Tanners, etc.

22. (1) Rules 12 to 18 shall not apply to licensed tanners and other licensed dealers in hides or skins in respect of their dealings in hides or skins; but the provisions of this and the following rule shall apply to them in respect of such dealings.

(2) Every tanner or other dealer in hides or skins whose net turnover for a year has been or is expected to be not less than Rs. 10,000 shall submit to the assessing authority, on or before the last day of October 1948 (or the last day of the month following the quarter in which he commences business) and thereafter within a month after the close of every quarter, a return in Form VIII-4, as the case may be, in Form VIII-5 showing his transactions for the preceding quarter. Along with the return he shall also submit a receipt from a Government treasury or a cheque in favour of the assessing authority for the full amount of the tax payable for the quarter to which the return relates.

(3) On receipt of the return and of the receipt or cheque referred to in sub-rule (2) the assessing authority shall after such scrutiny of the accounts and after making such enquiry as he considers necessary, satisfy himself that the return is correct and complete and that the correct amount of tax has been paid.

(4) If no return is submitted in respect of any quarter within a month after the close of that quarter or if the return is submitted without a receipt or cheque for the full amount of the tax or if the return submitted appears to be incorrect or incomplete the assessing authority shall, after making such enquiry as he considers necessary, and after giving the tanner or other dealer an opportunity as prescribed in rule 15 of proving the correctness and completeness of his return where one has been submitted, determine the turnover to the best of his judgment and assess the tax payable for the quarter and shall serve upon the tanner or other dealer a notice in Form IX-1 and the tanner or other dealer shall pay the sum demanded at the time and in the manner specified in the notice.

(5) If at the time of the receipt of the return referred to in sub-rule (3) or of the issue of the notice in Form IX-1 referred to in sub-rule (4) or subsequently, it is found that the amount paid by the tanner or other dealer is in excess of the correct tax payable, such excess shall, at the option of the tanner or other dealer, be credited towards the tax, if any, payable by him for succeeding quarters or be refunded to him.

Levy of tax in the case of hides and skins.

23. (1) In the case of hides and skins the tax payable under Section 3 (1) shall be levied in accordance with the provisions of this rule.

(2) No tax shall be levied on the sale of untanned hides or skins by a licensed dealer in hides or skins except at the stage at which such hides or skins are sold to a tanner in Mysore or are sold for export outside Mysore.

(i) In the case of all untanned hides or skins sold to a tanner in Mysore the tax shall be levied from the

tanner on the amount for which the hides or skins are bought by him.

(ii) In the case of all untanned hides or skins which are not sold to a tanner in Mysore but are exported outside Mysore, the tax shall be levied from the dealer who was the last dealer not exempt from taxation under Section 3 (3) who buys them in Mysore, on the amount for which they were bought by him.

(3) Sales by licensed dealers of hides or skins which have been tanned within Mysore shall be exempt from taxation provided that the hides or skins have been tanned in a tannery which has paid the tax leviable under the Act. If such hides or skins have been tanned in a tannery which is exempt from taxation under Section 3 (3), the sale of such hides or skins shall be liable to taxation as under the next sub-rule below dealing with hides or skins tanned outside Mysore.

(4) Sales by licensed dealers in hides or skins which have been tanned outside Mysore shall be exempt from taxation except at the stage of sale by the dealer who is the first dealer not exempt from taxation under Section 3 (3) who sells them within Mysore. The tax shall be levied from such dealer on the amount for which he sells such hides or skins.

(5). Sale of hides or skins by dealers other than licensed dealers in hides or skins shall, subject to the provisions of Section 3, be liable to taxation on each occasion of sale.

Particulars to be given when dealer has bought or sold goods for valuable consideration other than money.

24 Every dealer who has bought or sold goods for valuable consideration other than money shall separately specify in the return of turnover which he is required to submit under these rules the quantity of goods so bought or sold and the description in sufficient detail of the valuable consideration for which the goods were bought or sold. The assessing authority shall fix the value of such consideration in money for the purpose of determining the turnover and assessment of the tax payable under the Act and the value fixed by such authority shall, subject to the appeal and revision provided for in the Act and the rules made thereunder, be final.

PART IV—Rebates.

Application for rebate.

25. Every person claiming a rebate under Section 8 shall submit to the assessing authority an application in Form XI within three months of the delivery of the articles outside Mysore.

Procedure for grant of rebate.

26. On receipt of the application, the assessing authority, shall, after satisfying himself that the application is in order and that the rebate is admissible, send to the applicant a refund order for the amount of the rebate due, if the tax has already been paid, or if the assessment has been provisionally made under Rule 13 or 14, adjust the amount at the time of final assessment under Rule 17.

PART V.—Accounts.

Accounts to be preserved for two years.

27. Accounts maintained by dealers and licensees together with all vouchers relating to stocks, deliveries, purchases, output, and sales shall be preserved for a period of *two years after the close of the year to which they relate.

Separate account to be maintained in certain cases.

28. (1) If the goods in which a dealer or a person licensed under Section 9 deals include any of the articles specified in Section 4 or 5 or in a notification under Section 6 in addition to any other articles, such dealer or person shall maintain separate accounts in respect of each class of articles specified in those sections.

(2) Dealers in hides or skins shall maintain separate accounts in respect of hides or skins tanned in Mysore and of those tanned outside Mysore.

(3) If a person who holds a licence under Section 9 also deals otherwise than for an agreed commission or brokerage on behalf of known principals in Mysore, he shall keep separate accounts in respect of such transactions and of transactions covered by the licence.

(4) Every dealer and every person licensed under the Act shall maintain accounts separately in respect of different kinds of goods subject to different rates of tax under the Act.

(5) A person licensed under Section 9 shall keep accounts in Form XIII or Form XIV or both, as the case may be, in addition to such accounts as may be necessary in the usual course of business.

PART VI.—Appeals and Revision.

Appeal against original orders of licensing or assessing authority.

29. (1) Subject to the provisions of Section 14, any person aggrieved by any original order of a licensing or assessing authority may appeal to the Deputy Commissioner of Sales Tax of the Division.

(2) Every such appeal shall be preferred within 30 days of the receipt of the order appealed against.

(3) Every appeal shall be in writing, shall specify the name and address of the appellant, the date of the order appealed against, shall contain a clear statement of the facts and the nature of the relief prayed for and shall be signed and verified by the appellant in the form given below :—

> "I, ..., the appellant named in the above memorandum of appeal, do hereby declare that what is stated herein is true to the best of my knowledge and belief."

(4) The memorandum of appeal shall be accompanied by the order appealed against in original or by an authenticated copy thereof unless the omission to produce such order or copy is explained to the satisfaction of the appellate authority, and by

*The vouchers of each kind shall be serially numbered separately.

proof of payment of the tax admitted by the appellant to be due or of such instalments thereof as might have become payable.

(5) The appeal may be sent to the appellate authority by post or may be presented to that authority or to such officer as the appellate authority may appoint in this behalf by the appellant or by his authorized agent or a legal practitioner.

(6) The appellate authority shall, after giving the appellant reasonable opportunity of being heard, pass such orders on the appeal as such authority thinks fit.

Authorities who may exercise powers of revision.

30. The following authorities may exercise the powers of the nature referred to in section 15(1) :—

(i) The Commissioner of Sales Tax, and

(ii) The Deputy Commissioner of Sales Tax :

Provided that the Deputy Commissioner of Sales Tax shall not revise an order passed by himself acting under Section 14.

Procedure when appellate or revising authority considers that the correct amount of the tax is more than that determined by initial assessing authority.

31. Where the tax as determined by the initial assessing authority appears to the appellate or revising authority to be less than the correct amount of the tax payable by the dealer, the appellate or revising authority shall, before passing orders, determine the correct amount of tax payable by the dealer after issuing a notice to the dealer and after making such enquiry as such appellate or revising authority considers necessary.

Communication of orders of appellate or revising authority, etc.

32. (1) Every order of an appellate or revising authority shall be communicated to the appellant or petitioner, to every other party affected by the order, to the licensing or assessing authority against whose order the appeal was filed and to any other authority concerned.

(2) The order passed on appeal or revision shall be given effect to by the licensing or assessing authority who shall refund any excess tax or fee found to have been collected and shall also have power to collect any additional tax or fee which is found to be due, in the same manner as a tax or fee assessed by himself.

Procedure when tax determined in appeal or revision is in excess of powers of initial assessing authority.

33. If the tax as determined in an appeal or revision is in excess of the powers of assessment of the initial assessing authority, the appellate or revising authority shall transfer the original records of assessment to the appropriate assessing authority who shall have power to collect the tax due in the same manner as if it were a tax assessed by himself.

Turnover escaping assessment.

34. (1) If for any reason the whole or any part of the turnover of business of a dealer or licensee has escaped assessment to the tax in any year or if the licence fee has escaped levy in any year, the assessing authority or licensing authority, as the case may be, may, at any time within the year or the two years

next succeeding that to which the tax or licence fee relates, assess the tax payable on the turnover which has escaped assessment or levy the licence fee, after issuing a notice to the dealer or licensee and after making such enquiry as he considers necessary.

(2) If for any reason any tax or licence fee has been assessed at too low a rate in any year, the assessing authority or the licensing authority, as the case may be, may, at any time within the year or the two years next succeeding that to which the tax or licence fee relates, revise the assessment or the licence fee after issuing a notice to the dealer or licensee and after making such enquiry as he considers necessary.

(3) The assessing authority or the licensing authority, as the case may be, shall serve on the dealer or the licensee, a notice in Form IX with such modifications as may be necessary, in respect of the tax or licence fee payable on any assessment or levy or revision of assessment or licence fee that may be made under this rule.

(4) If after an assessment has been made on a turnover not exceeding forty thousand rupees, it is ascertained that part of the turnover has escaped tax, and if with the addition of the turnover which has escaped assessment, the total turnover exceeds forty thousand rupees, the assessing authority for the purposes of this rule shall be the Sales Tax Officer.

Rectification of mistakes.

35. (1) An assessing, appellate or revising authority may, at any time within two years from the date of any order passed by him, rectify any mistake apparent from the record:

Provided that no such rectification which has the effect of enhancing the assessment shall be made unless the assessing authority has given notice to the dealer of his intention to do so and has allowed him a reasonable opportunity of being heard.

(2) Where such rectification has the effect of reducing the assessment, the assessing authority shall make any refund which may be due to the dealer.

(3) Where any such rectification has the effect of enhancing the assessment, the assessing authority shall serve on the dealer a revised notice in Form IX and thereupon the provisions of the Act and these rules, shall apply as if such notice had been served in the first instance.

Part VII.—Miscellaneous.

Notice of partnership by dealer or licensee to be given to assessing authority.

36. If a dealer or licensee enters into partnership in regard to his business, he shall report the fact to the assessing authority within 30 days of his entering into such partnership. The dealer or licensee and the partner shall jointly and severally be responsible for the payment of tax leviable under the Act.

Notice of dissolution of partnership.

37. If a partnership is dissolved, every person who was a partner shall send a report of the dissolution to the assessing authority within 30 days of such dissolution.

38. If the business carried on by any dealer or licensee is discontinued, the dealer or licensee or, if he is dead, the legal representative shall notify to the assessing authority the fact of discontinuance of the business within one month of the discontinuance.

Notice of discontinuance of business by dealer or licensee.

39. In the case of any guardian, trustee or agent of any minor or other incapacitated person carrying on a business on behalf of and for the benefit of such minor or other incapacitated person, the tax shall be levied upon and recoverable from such guardian, trustee or agent, as the case may be, in like manner and to the same extent as it would be leviable upon and recoverable from any such minor or other incapacitated person, if he were of full age or sound mind and if he were conducting the business himself; and all the provisions of the Act and the rules made thereunder shall apply accordingly.

Liability to tax of guardians, trustees, agents, etc.

40. In the case of business owned by a dealer whose estate or any portion of whose estate is under the control of any Receiver or Manager (including any person whatever his designation, who in fact manages the business on behalf of the dealer) appointed by, or under any order of a court, the tax shall be levied upon and recoverable from such Receiver or Manager in like manner and on the same terms as it would be leviable upon and recoverable from the dealer if he were conducting the business himself; and all the provisions of the Act and the rules made thereunder shall apply accordingly.

Liability to tax of managers, receivers, etc.

41. An assessing or licensing authority may require any person whose evidence he considers necessary for the purpose of any enquiry under the Act, or the rules made thereunder to appear before him and give evidence.

Any assessing or licensing authority may examine such person on oath or affirmation.

Power of assessing authority to summon persons to give evidence.

42. An assessing or licensing authority shall have all the powers conferred on a court by the Code of Civil Procedure, 1911, for the purpose of securing the attendance of persons or the production of documents.

Powers of assessing authority for securing attendance of persons and production of documents.

43. The assessing or licensing authority shall issue a summons for the production of a document or the appearance of any person in Form XII.

Form of summons.

44. The powers conferred on an assessing or licensing authority by Rules 41 to 43 may also be exercised by an appellate or revising authority.

Powers under Rules 41 to 43 exercisable by appellate or revising authority.

45. A person appearing before a licensing, assessing, appellate or revising authority to give evidence in an enquiry under the Act or the rules made thereunder shall be paid travelling allowance and batta at such rates as may be fixed by the Government from time to time.

Travelling allowance and batta to witness.

Service of notices, etc.

46. The service on a dealer or licensee of any notice, summons or order under the Act or the rules made thereunder may be effected in any of the following ways, namely :—

(*a*) by giving or tendering it to such dealer or licensee or his manager or agent ; or

(*b*) if such dealer or licensee or his manager or agent is not found, by leaving it at his last known place of business or residence or by giving or tendering it to some adult member of his family ; or

(*c*) if the address of such dealer or licensee is known to the assessing authority, by sending it to him by registered post ; or

(*d*) if none of the modes aforesaid is practicable, by affixing it in some conspicuous place at his last known place of business or residence.

Authorities who may exercise powers under Section 21.

47. The following authorities may exercise the powers specified in Section 21 :—

(*a*) The Assistant Sales Tax Officer and the Sales Tax Officer subject to the control and direction of the Deputy Commissioner of Sales Tax and Commissioner of Sales Tax ; and

(*b*) The Deputy Commissioner of Sales Tax subject to the control and direction of the Commissioner of Sales Tax.

Form of cheque.

48. Where any payment by cheque is permitted by rules made under the Act, the cheque shall be such as under the Mysore Civil Account Code is receivable by the Government treasury concerned.

Penalty.

49. Whoever commits a breach of any of the following rules, namely Rules 6(10), 6(11), 27, 28, 37 and 38 shall, on conviction by a Magistrate of the First Class, be punishable with fine which may extend to one thousand rupees.

Forms printed by Government to be used.

50. Where a form has been prescribed by these rules for the keeping or maintaining of any accounts or for the submission of any return, only the appropriate form printed under the authority of the Government shall be used for the purpose.

Powers of Commissioner of Sales Tax to vary details in forms.

51. The forms prescribed in these rules may be used with such variations in matters of detail as may be directed by the Commissioner of Sales Tax from time to time.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

FORM I.

Application for Licence.

[*See Rules* 5 *and* 6 (3).]

To

The Licensing Authority.

Sir,

I/We residing at taluk, district, request that I/we may be granted a licence (or my/our licence No. dated may be renewed) for the year ending the 30th June 194

(a) for dealing in
- Bullion and/or specie
- cotton and/or cotton yarn other than handspun yarn or handspun yarn
- cloth woven on handlooms wholly with handspun yarn
- cloth woven on handlooms wholly or partly with mill yarn
- hides and/or skins whether as a tanner or otherwise

or

(b) for buying and selling goods for an agreed commission or brokerage on behalf of persons (including firms) in Mysore.

2. I/We desire to carry on business at the shandies in the following places in the neighbourhood of my/our place of business mentioned in item 4 :—

Name of the place where the shandy is held	Distance from place of business.

3. I/We enclose a treasury receipt / cheque for Rs. (in words) only being the fee for the licence.

4. My/Our turnover / estimated turnover for the year was/is Rs. (in words)

5. A description of my/our place of business / principal place of business and the place of business of each of the branches is given below :—

6. In addition to the business for which licence is applied for I/we deal in the following goods :—

Signature of applicant (s).

Note.—(1) The turnover for the year immediately preceding the year for which application is made should be furnished.

(2) In the case of new businesses estimated turnover for twelve months should be given.

(3) The turnover entered in item 4 should relate only to the dealings in respect of which licence is applied for.

(4) An applicant for a licence for dealing in cloth woven on handlooms wholly with handspun yarn must append a declaration as follows :—

"I hereby declare that I deal exclusively in cloth woven on handlooms wholly with handspun yarn."

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code is receivable by the Government treasury concerned.

FORM II.

Licence to a dealer in bullion and/or specie.

[*See Rules 6 (6).*]

Licence No. dated having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in bullion and/or specie for the year ending at (place of business) subject to the provisions of the Mysore Sales Tax Act, 1948, and the rules made thereunder and to the following conditions:—

(1) This licence extends only to dealings in bullion and/or specie and not to ornaments or other finished articles of precious metal.

(2) Licensees who do not submit returns under rule 17 or 20 shall submit to the undersigned on or before the 20th day of September in every year a return in Form VII showing the turnover of all the business done by them for the preceding year.

(3) Licensees shall keep accounts showing the names and addresses of the persons from whom they bought or to whom they sold bullion and/or specie.

(4) No correction in this licence shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Date

Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
(1)	(2)	(3)	(4)

FORM III.

Licence to a dealer in

Cotton
cotton yarn other than handspun yarn
handspun yarn
cloth woven on handlooms wholly with handspun yarn
cloth woven on handlooms wholly or partly with mill yarn

[*See Rule* 6 (6).]

Licence No. dated having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in

Cotton
cotton yarn other than handspun yarn
handspun yarn
cloth woven on handlooms wholly with handspun yarn
cloth woven on handlooms wholly or partly with mill yarn

for the year ending at (place of business including the shandies at) subject to the provisions of the Mysore Sales Tax Act, 1948, and the rules made thereunder and to the following conditions :—

(1) Licensees who do not submit returns under rule 17 or 20, shall submit to the undersigned on or before the 20th day of September in every year a return in Form VII showing the turnover of all the business done by them for the preceding year.

(2) In the case of handspun yarn and cloth woven on handlooms wholly or partly with mill yarn, the licensees shall keep accounts showing the name and addresses of the persons from whom they bought and to whom they sold the yarn or the cloth, as the case may be.

(3) No correction in this licence shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Date

Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
1	2	3	4

FORM IV.

Licence to a dealer in hides and skins, whether as a tanner or otherwise.

[*See Rule* 6 (6).]

Licence No. dated having paid a licence fee of Rs. (in words) only is hereby licensed as a dealer in hides and skins, whether as a tanner or otherwise for the year ending at (place of business), subject to the provisions of the Mysore Sales Tax Act, 1948 and the rules made thereunder.

Licensees shall keep accounts showing the names and addresses of the persons from whom they bought or to whom they sold the goods.

No correction in this licence shall be valid unless ordered and attested by the undersigned.

Turnover as determined by the Licensing Authority.

Place

Date Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the Licensing Authority	Signature of the Licensing Authority
1	2	3	4

FORM V.

Licence under Section 9 of the Mysore Sales Tax Act, 1948.

[*See Rule* 6 (6).]

License No. Dated having his place of business at and having paid a licence fee of Rs. (in words) only is hereby licensed under section 9 of the Mysore Sales Tax Act, 1948, subject to the provisions of the said Act and the rules made thereunder and to the following conditions :—

(1) No correction in this licence shall be valid unless ordered and attested by the undersigned.

(2) The licensee shall submit to the undersigned on or before the first day of August a return in Form VI for the year ending 30th June.

(3) The licensee shall be exempt from the tax payable under Section 3, sub-sections (1) and (2), only in respect of the transactions in which the amounts for which the goods are bought or sold are included in the turnover of the principals or of the dealers from whom the purchases were made or would have been so included but for an exemption provided for under the Act.

(4) This licence shall not apply to the transactions of the licensee otherwise than for an agreed commission or brokerage on behalf of known principals (including firms) in Mysore specified in his accounts in respect of each transaction or to the transactions of the licensee on behalf of non-residents.

(5) The agreed commission or brokerage specified in the accounts shall be the entire remuneration of the agent and each legitimate incidental charge actually incurred by him in respect of insurance, transport, loading and unloading, godown rent, interest, correspondence, telegrams, the use of the telephone and the like shall be specified in the accounts separately.

(6) The licensee shall prove before the licensing authority with necessary evidence that a transaction is exempt by virtue of this licence from the tax or taxes payable under section 3.

(7) Without prejudice to the generality of the foregoing conditions, every licensee shall, in particular :—

(*a*) if the transaction be one claimed as buying of goods on behalf of principals as specified in the Section 9,

(i) produce before the licensing authority the order in writing from the principal, authorising him to buy the goods for agreed commission or brokerage,

(ii) prove before the licensing authority the date of receipt by him of the said order,

(iii) specify in the accounts with reference to the said order, the person from whom and the date on which the goods were bought, the quantity so bought and the appropriation of the goods so bought on the date on which they were bought,

(iv) prove before the licensing authority by vouchers that he incurred the legitimate incidental charges referred to in condition 5, and that the commission or brokerage (the entire remuneration of the licensee) was agreed upon as commission or brokerage,

(v) render a truthful account to the principal in Form XIII, and

(vi) keep and produce before the licensing authority a mechanically duplicated copy of the account so rendered ;

(*b*) if the transaction be one claimed as selling of goods on behalf of principals as specified in Section 9,

(i) specify in his accounts the date on which he received the goods from the principal for sale for agreed commission or brokerage and the quantity so received and produce evidence of the date, the quantity and the order in writing from the principal authorising him to sell the goods for the agreed commission or brokerage,

(ii) specify in his accounts the date on which and the person to whom the goods or portions thereof were sold in each transaction, mentioning the quantity so sold,

(iii) specify in his accounts the name and address of the person or persons to whose account or accounts the amount realised by each transaction of sale was credited,

(iv) prove before the licensing authority by vouchers that he incurred the legitimate incidental charges referred to in condition 5 and that the commission or brokerage (the entire remuneration of the licensee) was agreed upon as commission or brokerage,

(v) render a truthful account to the principal in Form XIV, and

(vi) keep and produce before the licensing authority a mechanically duplicated copy of the account so rendered.

(8) The licensee shall obtain bills for purchases or issue serially numbered bills for sales and keep and produce them or copies thereof, as the case may be. Such bills shall specify also the names and addresses of the persons from whom the purchases were made or to whom the sales were made.

(9) If in respect of one and the same transaction, the licensee had bought or sold the goods on behalf of more than one principal, he shall not be exempt from the tax payable under section 3 in respect of such portion of the transaction relating to the principal or principals as the case may be, as does not comply with the provisions of Section 9 and the conditions and restrictions herein contained.

Turnover as determined by the Licensing Authority.

Place.
Date. Licensing Authority.

Renewal of the licence.

Date of renewal	Year for which renewed	Turnover as determined by the licensing authority	Signature of the licensing authority

FORM VI.

Return to be submitted by a person licensed under Section 9 of the Mysore Sales Tax Act, 1948.

[*See Rule* 6 (10).]

Name(s) of the licensee(s)
Place of business :—
License No. dated

1. During the year ending 30th June 19 . I/We have acted as—

(*a*) Selling agent(s) for the principals mentioned in the annexed statement.

Total amount for which sales were effected :—

(*b*) buying agents in groundnut / untanned hides and/or skins for the principals mentioned in the statement annexed.

Total amount for which purchases were made :—

(*c*) Buying agent(s) in respect of other articles for the principals mentioned in the statement annexed :—

Total amount for which purchases were made.

Grand total under (*a*), (*b*) and (*c*) :—

A statement in the form annexed detailing the transactions under (*a*), (*b*) and (*c*) is appended.

2. The amount for which I/we sold goods under (*a*) or bought goods under (*b*) or (*c*) of paragraph 1 on behalf of principals resident outside Mysore is as follows :—

(*a*) Rs. (*b*) Rs. (*c*) Rs.

Signature of licensee(s).

Note.—1. The turnover of transactions carried out on behalf of principals resident outside Mysore should be included in a return in Form VIII, VIII-1 or VIII-3 as the case may be.

2. If any of the transactions included in paragraph 2 above relate to hides and skins or to articles exempted from taxation under the Act, the turnover of such articles should be shown separately in respect of each class of such articles.

ANNEXURE.

Serial number	Name of the principal with the address of his place of business	Total amount for which goods were sold during the year under paragraph 1 (a) on behalf of the principal in column (2)	Total amount for which goods were bought during the year under paragraph 1 (b) on behalf of the principal in column (2)	Total amount for which goods were bought during the year under paragraph 1 (c) on behalf of the principal in column (2)	Amounts taken by the licensee towards commission and other items mentioned in the accounts from the amount in column (3)	Amounts received from the principal in column (2) towards commission and other items mentioned in the accounts in addition to the amounts specified in column (4) or column (5) in respect of transactions included in paragraph 1(b) or 1 (c)	Remarks
1	2	3	4	5	6	7	8

Signature of licensee(s).

FORM VII.

Annual return submitted by licensees other than dealers in hides and skins.

[*See Rule* 6 (11).]

Name(s) of the licensee(s) :—

License No. dated

During the year ending 30th June ..... the turnover of my/our business has been as follows :—

1. Transactions covered by the licence :—

	Rs.	a.	p.
(i) Bullion and/or specie			
(ii) Cotton			
(iii) Cotton yarn other than handspun yarn			
(iv) Handspun yarn			
(v) Cloth woven on handlooms wholly with handspun yarn.			
(vi) Agency business			
(vii) Cloth woven on handlooms wholly or partly with mill yarn.			
2. Business not covered by the licence			
Total ...			

I/We declare that to the best of my/our knowledge and belief the information furnished in the above return is true and complete and that it relates to the year ending 30th June.

Signature of licensee(s).

Note.—The turnover at the place of business should include the turnover at the shandies, if any, covered by the licence.

FORM VIII.

Return of turnover.

[*See Rules* 12 (1) *and* 17 (1).]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our turnover for the year ending the 30th June 19 :—

STATEMENT.

Name(s) and postal address(es) of dealer(s)	Place or places of business	Nature of business (nature of goods bought or sold)	Rate or rates at which he collected tax or taxes	Amount of gross turnover	Turnover and description of each class of goods exempt from the tax.	Discount allowed	Amount refunded in respect of articles returned by customers.	Turnover of accommodation sales	Net turnover liable to the tax	Amount actually collected by way of tax or taxes
1	2	3	4	5	6	7	8	9	10	11

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the year ending the 30th June 19 :—

Place

Date

Signature of dealer(s).

Note.—(1) Give the turnover of the immediately preceding financial year.

(2) In column (2), note the addresses of the headquarters and of all branches of the business to which the return relates.

(3) The turnover of each class of goods for which exemption is claimed should be specified separately in column (6).

(4) The transactions in different kinds of goods subject to different rates of tax under the Act should be shown in different lines. The totals of the vertical columns should be shown in the last line.

FORM VIII—(1).

Return of $\frac{\text{turnover.}}{\text{estimated turnover.}}$

[*See Rules* 12 (1), (2) *and* (3).]

[To be used only (i) by dealers who commence their business after the 1st day of September 1948, and (ii) by dealers who were carrying on business on the 1st day of September 1948 but who were not doing business during the whole of the year ending the 30th day of June 1948 or who commenced business after 30th day of June 1948].

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our for the first twelve months of business. I/We commenced business on $\frac{\text{turnover.}}{\text{estimated turnover.}}$

STATEMENT.

Name(s) and postal address(es) of dealer(s)	Place or places of business	Nature of business (nature of goods bought or sold)	Rate or rates at which he collected the tax or taxes	Gross or estimated gross turnover	Turnover or estimated turnover exempt from the tax	Net turnover or estimated net turnover liable to the tax
1	2	3	4	5	6	7

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it represents my/our $\frac{\text{turnover}}{\text{estimate of the turnover likely to be realised}}$ for the first twelve months of business.

Place.....

Date.....

Signature(s) of dealer(s).

Note.—(1) In column (2), note the addresses of the headquarters and of all the branches of business to which the return relates.

(2) The transactions in different kind of goods subject to the different rates of tax under the Act should be shown in different lines. The totals of vertical columns should be shown in the last line.

(3) Separate figures should be given in column (6) for each class of exempted goods.

FORM VIII—2.

Notice of provisional assessment and demand for payment of tax or taxes.

[*See Rules* 16 *and* 17.]

To

(The dealer.)

Take notice that you have been provisionally assessed, under the Mysore Sales Tax Act, 1948, to a tax of Rs..... [rupees.....(in words)] only for the year ending 30th June 1948. This tax shall be paid in quarterly instalments of Rs..... [rupees.....(in words)] only. The tax for the quarter preceding the date of this notice shall be paid within twenty-one days from the date of service of this notice and the tax for each of the remaining quarter before the 10th day of the succeeding quarter

by money order to the undersigned

by cheque in favour of the undersigned

by remittance into the Government treasury at.....

to the tax-collector who will call for it,

failing which the amounts will be recovered as if they were arrears of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by assessing authority in respect of :—

Nature of goods.	Rate of tax.	Turnover.
(1)	(2)	(3)
	Total ...	

Place..... ...

Date.....

Assessing Authority.

Note.—(1) If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the Treasury concerned.

(2) The assessee shall continue to pay tax in the following year at the rate specified above, pending the provisional assessment for that year in accordance with rule 17 (4) of the Mysore Sales Tax Rules, 1948.

(3) The tax paid by the assessee for the quarter preceding the date of this notice in accordance with the provisional assessment for the preceding year shall be adjusted towards the tax payable under this notice. If the tax so paid is less than the amount payable under this notice for the quarter concerned, he shall pay the difference within fifteen days from the date of service of this notice.

FORM VIII—3.

Return of turnover

[*See Rule* 20 (2).]

To

The Assessing authority.

I/We furnish below a statement showing my/our turnover for the quarter ending.....

STATEMENT.

Name (s) and postal address (es) of dealer (s).	Place or places of business.	Nature of business (nature of goods bought or sold)	Rate or rates at which he collected the tax or taxes	Amount of gross turnover	Turnover and description of each class of goods exempt from the tax	Discount allowed	Amount refunded in respect of articles returned by customers	Turnover of accommodation sales	Net turnover liable to the tax	Amount actually collected by way of tax or taxes
1	2	3	4	5	6	7	8	9	10	11

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date..... Signature(s) of dealer(s)

Note.—(1) In column (2), note the addresses of the headquarters and of all the branches of the business to which the return relates.

(2) The turnover of each class of goods for which exemption is claimed should be specified separately in column (6).

(3) The transactions in different kinds of goods subject to different rates of tax under the Act should be shown in different lines. The totals of vertical columns should be shown in the last line.

FORM VIII—4

Return of turnover in the case of tanners.

[*See Rule 22 (2)*]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our turnover for the quarter ending .....

Statement.

Name(s) and postal address(es) as tanner(s)	Place or places of business	Amount for which hides and skins were purchased for tanning by the assessee(s)
1	2	3

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date.....

Signature of Tanner(s).

Note.—Note in column (2) the addresses of the head office and of all the branches of the business to which the return relates.

FORM VIII-5

Return of Turnover in the case of Dealers in Hides or Skins.

[*See Rule 22 (2)*]

To

The Assessing Authority.

Sir,

I/We furnish below a statement showing my/our transactions for the quarter ending.....

Name(s) and postal address(es) of dealer(s).....

Place or places of business.....

Statement.

(*a*) For dealers in untanned hides or skins :—

Amount for which goods have been sold to tanners in Mysore	Amount for which goods have been sold to other dealers in Mysore	Amount for which goods have been sold on export outside Mysore	Amount for which goods falling under column (3) were purchased by the dealer(s)
1	2	3	4

(*b*) For dealers in tanned hides or skins :—

Amount for which hides or skins tanned in Mysore were sold	Amount for which hides or skins tanned outside Mysore were sold 2	
	Hides or skins bought from dealers in Mysore	Hides or skins bought from dealers outside Mysore
1	(i)	(ii)

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....

Date.....

Signature of dealer(s).

Note.—Note in column (2) the addresses of the head office and of all the branches of the business to which the return relates.

FORM VIII-6.

Application for Registration as a Dealer.

[*See Rule* 11]

To

The Assessing Authority.

Sir,

I/We.....submit this application for registration as dealer(s) under the Mysore Sales Tax Act, 1948 at.....

2. I/We carry on business at the following places in addition to the place specified above:—

.....

3. I/We enclose a treasury receipt/cheque for Rs. 6 (Rupees six only) being the fee for registration.

Note.—If the fee is sent by money order, mention the date of remittance.

4. My turnover in the year ending 30th June 19.....reached Rs. 7,500 only on.. .....

Place.....

Date..... Signature of the applicant(s).

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code may be received by the Government Treasury concerned.

FORM VIII-7.

Application for Registration as a Dealer.

[*See Rule* 11]

To

The Assessing Authority.

Sir,

I/We.. .....submit this application for registration as dealer(s) under the Mysore Sales Tax Act, 1948 at.....

2. I/We carry on business at the following places in addition to the place specified above:—

.....

3. I/We enclose a treasury receipt/cheque for Rs. 6 (Rupees six only) being the fee for the registration.

Note.—If the fee is sent by money order, mention the date of remittance.

4. My/Our turnover for the period.....is Rs. ..... (in words) only.

Place.....

Date..... Signature of the applicant(s).

Note.—Where payment is made by cheque, the cheque should be such as under the Mysore Civil Account Code may be received by the Government Treasury concerned.

FORM VIII-8.

Certificate No. ....., dated.....

[*See Rule* 11.]

.....having paid a registration fee of Rs. 6 (Rupees six) only is/are hereby registered as dealer(s) at.....subject to the provisions of the Act, the rules made thereunder and the following conditions :—

(1) He shall pay the entire amount of tax collected by him to the Government.

(2) No corrections in this certificate shall be valid unless ordered and attested by the undersigned.

Place.....

Date..... Assessing Authority.

Note.—This certificate of registration should be exhibited at a conspicuous place within the premises of the business specified above and should be open for inspection.

FORM IX.

Notice of Final Annual Assessment and Demand.

[*See Rule* 18.]

To

(Dealer.)

Take notice that you have been finally assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs. .....[rupees.....(in words)] only for the year ending the 30th June 19 ....., and that, after deducting the total amount of the quarterly payment(s) already made by you towards the tax for that year, you have to pay a (further) sum of Rs. ....[rupees.. .....(in words)] only. This balance of tax shall be paid within twenty-one days from the date of service of this notice, by remittance into the Government Treasury / by cheque in favour of the undersigned at / to the tax-collector who will call for it add failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by the assessing authority in respect of :—

Nature of goods.	Rate of tax.	Turnover
(1)	(2)	(3)
	Total Rs.	

Place.....

Date..... Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

FORM IX-1.

Notice of Final Quarterly Assessment and Demand.

[*See Rule* 20 (4) *and* (5).]

To

(Dealer.)

Take notice that you have been assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs ..... [rupees.....(in words)] only for the quarter ending..... .....19 , and that after deducting the payment (s) already made by you towards the tax for that quarter you have to pay a (further) sum of Rs..... [rupees..... .....(in words)] only. This amount shall be paid within twenty-one days from the date of service of this notice,

by cheque in favour of the undersigned, or
by remittance into the Government treasury at..... failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in section 20 of the Mysore Sales Tax Act, 1948.

Turnover as determined by the assessing authority in respect of :—

Nature of goods. (1)	Rate of tax. (2)	Turnover. (3)
	Total...	Rs.

Place .....
Date .....

Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

FORM IX-2.

[*See Rule* 11.]

To

(Dealer).

Take notice that for the year ending ..... (after deducting the payments made by you) a sum of Rs..... [rupees..... (in words)] only is due and payable by you, being the amount (*balance of amount) collected by you by way of tax or taxes under section 3 or 5 or the notification or notifications under section 6 (1) of the Mysore Sales Tax Act, 1948. The said sum of Rs..... shall be paid within 21 days from the date of service of this notice

by cheque in favour of the undersigned
by remittance into the Government treasury at
to the tax collector who will call for it

failing which the amount will be recovered as if it were an arrear of land revenue and you will be liable to fine as provided in Section 20 of the Mysore Sales Tax Act, 1948

Place.....
Date.....

Assessing Authority.

Note.—If payment is made by cheque, the cheque shall be such as under the Mysore Civil Account Code may be received by the treasury concerned.

* To be struck off if no payment was due.

FORM X.

Notice of Final Assessment and Refund Order.

[*See Rule* 18].

To

(Dealer).

Take notice that you have been finally assessed under the Mysore Sales Tax Act, 1948, to a tax of Rs..... [rupees..... (in words)] only for the year ending the 30th June 194 . The total amount of tax paid by you already is Rs..... [rupees..... (in words)] only, that is, Rs..... in excess of the tax due. A refund order is enclosed. You should apply to the Government treasury at ..... for the refund of this sum within three months from the date of service of this notice failing which the amount will lapse to the Government.

Turnover as determined by the assessing authority in respect of :—

Nature of goods. (1)	Rate of tax. (2)	Turnover. (3)
	Total ...	Rs.

Place.....
Date .....

Assessing Authority.

FORM XI.

Application for Rebate under Section 8 of the Mysore Sales Tax Act, 1948.

[*See Rule* 25].

I/We residing at taluk district request that I/we may be granted a rebate of tax under Section 8 of the Mysore Sales Tax Act, 1948, in respect of the sale of goods specified below :—

1. Name(s) and postal address(es) of applicant(s).
2. Nature and description of articles sold.
3. Aggregate amount for which sold.
4. Name(s) and address(es) of person(s) to whom sold.
5. In the case of assessees under Rule 22 the quarter which the amount under item 3 was included in the return of turnover.

Declaration.

I/We declare that to the best of my/our knowledge and belief the information furnished in the above statement is true and complete and that it relates to the quarter ending.....

Place.....
Date.....

Signature of applicant(s).

FORM XII.

Form of Summons under the Mysore Sales Tax Act, 1948.

[*See Rule* 43.]

Summons to appear in person and/or to produce documents.

To

Whereas your attendance is necessary to give evidence with

where as the following documents (here describe the document in sufficient detail to permit of their identification with reasonable certainty) are required with reference to an inquiry under the Mysore Sales Tax Act, 1948 (here enter briefly the subject of the inquiry) now pending before me, you are hereby summoned to appear in person

to produce, or cause to be produced the said documents before me on the day of 19 , at o'clock at (place) (and) not to depart thence until permitted by me)*.

Given under my hand and seal this day of 19 .

(Seal).

Signature,
Official Designation.

*These words should be omitted where the summons is for the production of documents only.

FORM XIII.

Form of account to be kept by persons licensed under Section 9 in respect of transactions of buying goods on behalf of principals.

[*See Rule* 28.]

To

.....(The Principal).

Date of order to buy the goods	Date of receipt of order	The quantity and description of the goods ordered and the rates, if any	The commission or brokerage (entire remuneration of the licensee) agreed upon	The date on which the goods were bought	The name and address of the persons from whom the goods were bought	The quantity of goods bought	The amount actually paid to the person from whom the goods were bought	The date on which you were debited	The amounts debited towards. The amount actually paid to the person from whom the goods were bought	Agreed commission or brokerage (entire remuneration)	Legitimate incidental charges actually incurred (each item separately specified)
1	2	3	4	5	6	7	8	9	10	11	12
									Rs.a.p.	Rs.a.p.	Rs.a.p.

FORM XIV.

Form of account to be kept by persons licensed under Section 9 in respect of transactions of selling goods on behalf of Principals.

[*See Rule* 28 (5).]

To

.....(The Principal).

Date of receipt of goods	Quantity and description of goods received	The commission or brokerage (entire remuneration of the licensee) agreed upon	The date of sale	The quantity sold	The name and address of the person to whom sold	The amount actually collected from the buyer	The date on which you were credited	The amount credited	Total amount debited towards. Agreed commission or brokerage (entire remuneration)	Legitimate incidental charges actually incurred (each item separately specified)
1	2	3	4	5	6	7	8	9	10	11
									Rs. a.p.	Rs. a.p.

By Order,

S. KANAKARATNARAJ,

Legal Remembrancer and Secretary to Government, Law Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 1568—Co.1-48-2, dated Bangalore, 28th August 1948.

In pursuance of clause 5 of the Cement Rationing Order, 1948 in supersession of their notification No. S. D. 10412—Co. 47-47-6, dated the 23rd June 1948, the Government of His Highness Maharaja are pleased to fix the prices of all brands of cement as noted below and to direct with reference to rule 119 (1) of the said rules that notice of the price fixation shall be given by publication of the same in the Official Gazette and by issue of a Press Note :

(1) For deliveries to stations in the Mysore State on the broad gauge up to and inclusive of Bangalore City and to all stations on the narrow gauge between Bangalore City and Bowringpet and for deliveries to the Civil Station, Bangalore.	Rs. 86-0-0 per ton in full waggon loads, f. o. r. any railway station.
(2) For deliveries to stations elsewhere in the Mysore State.	Rs. 88-4-0 per ton in full waggon loads, f. o. r. any railway station.

(3) retail prices shall not exceed the maximum f. o. r. any railway station prices by more than the amount it would be permissible for the seller to charge under the normal practice authorised heretofore by the Cement Marketing Company of India on such an f. o. r. price. In charging such a price, the seller shall take into consideration the expenditure on items such as cost of unloading of waggon, cartage from station to godowns, stocking in godowns, godown rents, wastage and profit margin of the seller;

(4) Provided that waggon-load as well as retail prices mentioned above shall be for supplies ex-nearest works. In the case of sale of waggon-loads as well as retail sales, the sellers may, in addition to such prices, charge extra for proportionate freight difference, if supplies were actually made from a more distant works;

(5) Provided further that all such supplies into Mysore State from works other than the nearest works shall be made by the Cement Marketing Company of India on the specific authorisation of the Controller of Civil Supplies in Mysore:

(6) Provided also that in case of all sales (waggon-loads or smalls), the sellers shall be entitled to charge in addition to the aforesaid waggon-load and retail prices extra for general or special increase in freight after the date of this order, for octroi, towns duty, terminal tax, sales tax or any other charge, levy or imposition payable, by the sellers.

No. S.D. 1618—C. 33-48-3, dated Bangalore, the 30th August 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (Act No. XX of 1947), the Government of His Highness the Maharaja are pleased to prohibit the import into the Mysore State of certain varieties of pulses, beans and other grains containing Hydrogen Cyanide or other poisonous ingredient (such as Phaseolus Lunatus) in any form, by rail, road or otherwise, and also to prohibit the possession or sale of this commodity within the State.

Any person acting in contravention of the above Order shall be liable to be prosecuted and sentenced to imprisonment for a term extending to three years or with fine or with both and the articles involved in the offence shall also be liable to be confiscated to Government.

They further direct, with reference to Rule 119 of the said rules, that notice of this order be given by publication of the same in the Official Gazette and by the issue of a Press Note summarising and explaining the provisions.

SAFI DARASHAH, *Food & Civil Supplies Secy.*

No. R. L. 533—Legis. 27-48-2, Bangalore, dated 1st September 1948.

In Schedule A to the Retroceded Area (Application of Laws) Act, 1948 (Act No. LVII of 1948) published in Notification No. R. L. 354—Legis. 27-48-1, dated 10th August 1948 published in the *Mysore Gazette* Extraordinary, dated 10th August 1948, in the column under 'Modifications and Restrictions," against the entry relating to the Guardian and Wards Act, 1911, *for* "as in force in the Retroceded Area is to be deemed to have attained his majority," *read* "as in force in the Retroceded Area is to be deemed not to have attained his majority ".

By Order,

S. KANAKARATNARAJ,

Legal Remembrancer and
Secretary to Government,
Law Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

ERRATUM.

No. RL 544—Legis. 5-48-2, dated Bangalore, the 4th September 1948.

In Section 3 of the Civic Guards (Amendment) Act, 1948 (XXXV of 1948), published in part IV of the *Mysore Gazette* dated July 15, 1948, *for* the words "Civic Guards" *read* "Civic Guard".

By Order,
S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

No. S.D. 1762—C. 54-48-2, dated Bangalore, the 4th September 1948.

No. S.D. 3529—C. 103-44-34, dated 19th December 1944.
No. S.D. 5212—C. 103-44-82, dated 28th February 1945.
No. S.D. 6866—C. 48-46-59, dated 20th February 1948.

In supersession of Government Notifications noted in the margin, as amended from time to time, Government are pleased to direct that the retail sale prices of rice and millets issued by Government be fixed as under, uniformly throughout the State, with immediate effect :—

			Retail per rupee.
1.	Rice	Fine	2½ seers.
		Medium	3 ,,
		Coarse	3½ ,,
2.	Millets (Ragi, Jola, Bajra, Navane, Haraka, Save and Milo)		5 ,,

No. S.D. 1776—C. 54-48-3, dated Bangalore, the 4th September 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and 81 of the Defence of India Rules as applied to Mysore and continued by Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (Act XX of 1947), the Government of His Highness the Maharaja of Mysore are pleased to direct that the purchase price of foodgrains fixed in Government Notification No. S.D. 4635—C. 112-47-5, dated 22nd December 1947, as amended from time to time be cancelled and that the maximum prices to be paid in respect of foodgrains requisitioned according to clauses 3 and 4 of the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948 be fixed as under.

They further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this order shall be given by the publication of the order in the Official Gazette and by the issue of a Press Note summarising and explaining its provisions.

			Per palla of 100 seers.
Paddy—			Rs.
Fine	...	...	22
Medium	...	...	18
Coarse	...	...	16
Millets	...	...	20

Note.—(1) The prices given above are payable for the delivery of the grain at the depots to be notified in the "Chavadi" of the village.

(2) For the grains delivered at the villages where they are produced, if there should be no authorised depot at such village and if the grain is accepted as a special case, the price paid will be eight annas less per palla.

(3) If the grain delivered contains chaff and impurities the party delivering it will be required to clean at his cost. Payment will be made only for the cleaned grain. If the party does not clean it, this will be got done at his cost.

The following are the kinds of paddy grouped under the three varieties :—

I. Fine.

1 Coimbatore Sanna.
2 Nagapuri Sanna.
3 Rajabhoga
4 Alur Sanna
5 Brahmasala
6 Bangarakaddi
7 Ratnachudi
8 Kadur Sanna
9 Bangara Theogai.
10 Sakalathi Sanna.
11 Kempu Sanna
12 Gunsale
13 Salem Sanna

II. Medium.

1 Mysore Kaddi
2 Maralukanthi
3 Devamallige
4 Halubbalu
5 Ramasagara
6 Hassan Dappa
7 Dabbanasala
8 Farm Kaddi
9 Karibatta
10 Bangara Bili Byra
11 Bellari Bhatta
12 Chintamani Sanna
13 Kembuthi (of Mysore and Hassan yielding white rice)
14 Salubhatta
15 Sampigedala Bhatta
16 Nallur Sanna
17 Garike Sanna
18 Kyasari
19 Chippiga
20 Hasade
} of Hassan and other Malnad Districts yielding white rice.
21 Garuda Kembuthi (grown in Mandya District).
22 Putta Bhatta
23 Hunase Hubu Bhatta

III. Coarse.

1 Karu
2 Malnad Gidda
3 Bagade
4 Chippiga
5 Kembuti
6 Kyasari
7 Halmaradi
8 Hasadi
9 Dodda Byra-bhatta.
10 Karusambla
11 Kodathi Sanna
12 Mullu Bhatta
13 Jungu
14 Togarsi

SAFI DARASHAH,
Secy., Food & Civil Supplies.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. S. D. 2373—C. 54-48-8, dated Bangalore, the 21st September 1948.

The Government of His Highness the Maharaja are pleased to direct that the maximum prices to be paid in respect of rice requisitioned according to clauses 3 and 4 of the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, be fixed as under :—

Rice.—Fine	Rs. 42-0-0	per	palla of	100 srs.
Medium	,, 35-4-0	,,		,,
Coarse ...	,, 33-0-0	,,		,,

SAFI DARASHAH,
Secy., Food and Civil Supplies.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS

No. P. 5322—Pol. 81-48-2, dated Bangalore, 27th September 1948.

In exercise of the powers conferred by Section 8 of the Home Guards Act, 1941, the Government of His Highness the Maharaja are pleased to make the following Rules :—

The Home Guards Rules, 1948.

1. These rules may be called the "Home Guards Rules, 1948". Title.

2. In these rules, unless there is anything repugnant in the subject or context,— Definitions.

(*i*) 'Officer of the Home Guards' means a member of the Home Guard appointed to an office of command in the Home Guards under Section 3 of the Act;

(*ii*) 'Form' means a form appended to these rules;

(*iii*) 'Member of the Home Guards' means a person appointed as such under Section 3 of the Act by the District Magistrate of a District; and

Act' means the Home Guards Act, 1941.

Supervision of Inspector-General of Police.

3. The Home Guards in Mysore shall be under the general supervision of the Inspector-General of Police in Mysore who shall also be *ex-officio* Inspector-General of Home Guards.

District Commanders.

4. The District Magistrate shall be the District Commander of the Home Guards in his district.

Organization.

5. Each district shall have a Home Guards Company under a Company Commander who shall be a non-official. Each Company shall consist of not less than four Platoons, and each platoon shall have a Platoon Commander and an Assistant Platoon Commander. Every Platoon shall consist of four squads and each squad shall consist of ten Home Guards; each squad shall have one Group Commander and one Second-in-Command. Each Platoon shall be formed, as far as possible from members who reside in the same locality.

Delegation of powers under Section 4.

6. Any Police Officer not below the rank of a District Superintendent of Police, specified by the District Magistrate may also exercise the powers of the District Magistrate under Section 4 of the Act.

Enrolment.

7. No person other than a subject of His Highness the Maharaja by birth or domicile shall be enrolled as a Home Guard. An application for enrolment as a member of the Home Guard by a person residing in any district shall be made in Form I, to the District Magistrate of the district or to such other person as may be authorised in this behalf by the District Magistrate.

Age limit.

8. A candidate for enrolment as a member of the Home Guards shall not be under 18 or over 45 years of age on the date of his application for enrolment.

Certification of character and antecedents.

9. A 'Recruitment Committee' shall be constituted for each Taluk with the District Magistrate as Chairman and two non-official gentlemen of the district nominated by the District Magistrate as members, to certify the character and antecedents of the candidates seeking enrolment. The District Superintendent of Police shall be the Secretary of such Committee.

Medical examination of candidates for enrolment in the Home Guard.

10. A candidate whose eligibility for enrolment in the Home Guards has been certified by the Recruitment Committee may, if considered necessary by the District Magistrate or by the person authorised by the District Magistrate under Rule 7, be placed before a competent Medical Officer for examination of his physical fitness to perform the duties of the Home Guard.

Certificate of appointment.

11. An enrolment certificate in Form II shall be issued by the District Magistrate, if he is satisfied that the candidate whose eligibility has been certified by the Recruitment Committee is suitable for appointment as a member of the Home Guards and that he understands and accepts the conditions of his service laid down in these rules.

Loss of certificate to be reported.

12. The loss of an enrolment certificate issued to a member of the Home Guards shall be reported forthwith to the District Commander through the officer of the Platoon to which the member belongs. A Platoon Commander and a Company Commander shall report the loss of their enrolment certificates direct to the District Commander.

Home Guard not to resign without leave or notice.

13. No member of the Home Guards shall be at liberty to resign his office or to withdraw himself from the duty thereof unless expressly allowed to do so in writing by the District Commander and unless he shall have given to the District Commander fifteen days' notice in writing of his intention to do so:

Provided that the District Commander may accept the resignation of any member of the Home Guards without such notice.

Training.

14. Members of the Home Guards shall, on enrolment, be liable for training at such places and at such times as may be determined by the District Commander:

Provided that such training shall not ordinarily extend beyond two hours on three days in a week during the first month and one hour in a week thereafter.

Compliance with orders of the District Magistrate, etc.

15. An Officer of the Home Guards shall comply with all orders issued to him by the District Magistrate or the District Superintendent of Police or any police officer or Magistrate authorised by the District Magistrate in this behalf.

Conditions of service.

16. Members of the Home Guards shall be on duty at such places and at such times as may, by a general or special order, be specified by the District Magistrate or District Superintendent of Police, or Commander of the Platoon to which they belong or such other officer as may be authorised by the District Magistrate.

Control.

17. Members of the Home Guards shall be under the control of their own officers;

Provided that if a group or groups is or are acting in conjunction with the ordinary police force, the senior officer of the Platoon or Squad shall be under the immediate control and subject to the directions of the Senior Officer of such police force present (in conjunction with such Platoon or Squad irrespective of their ranks).

Duties.

18. The duties of members of the Home Guards shall ordinarily consist of :

(*a*) Assisting the police generally in guarding and protecting the Civil population and their property ;

(*b*) the rendering of assistance in connection with air-raid precautions ;

(*c*) bringing information of false rumours ;

(*d*) bringing information of any offence which is likely to affect the public safety ; and

(*e*) generally performing such duties in connection with the protection of persons, the security of property or the public safety as the District Magistrate may, from time to time, assign to them.

Discipline.

19 (1) Members of the Home Guards shall not communicate with the Press or any political organisation or body in regard to any matter connected with their duties in the Home Guards.

(2) They shall treat police reports or copies thereof coming within their cognisance or knowledge as strictly confidential.

(3) They shall notify the District Superintendent of Police of the District concerned, any change in their permanent address or place of employment.

(4) They shall immediately make a full and accurate report to the Officer of their Platoon of all acts done by them in the exercise of their duties under the Act and these rules, and the Officer in turn shall make a consolidated report to the District Superintendent of Police through the Company Commander.

Cessation of service in the Home Guard.

20. The District Magistrate on the recommendation of the District Superintendent of Police or by himself, may terminate the services of, suspend or dismiss, any member of the Home Guards without assigning reasons.

Dress.

21. Members of the Home Guards shall, when on duty, wear such dress and decoration as may be prescribed by the Government in this behalf. Such dress shall be

supplied at the cost of the Government. When a member of the Home Guards resigns or is suspended or dismissed or when his services are terminated, he shall immediately deliver to the District Superintendent of Police the enrolment certificate and the equipment supplied to him at the cost of Government. The said officer shall give a receipt for the articles delivered to him.

Responsibility for pecuniary loss caused to Government by negligence.

22. Members of the Home Guards shall be held responsible for making good any pecuniary loss caused to the Government by their misuse of, or negligence while in charge of, Government property entrusted to them.

Rewards.

23. The rules prescribed in the Police Manual in the case of Police Officers regarding 'Rewards' shall also be applicable to the Home Guards.

Remuneration.

24. Service in the Home Guard will be honorary and no person appointed as a member of the Home Guards shall as of right be entitled to any remuneration but the District Magistrate of the District concerned, may in his discretion,—

(*i*) pay to a member of the Home Guards while on duty an allowance not exceeding one rupee per day and if the duty performed is less than four hours, half of the above allowance;

(*ii*) provide with conveyance at Government cost or give actual conveyance charges in addition to the daily allowance for halts extending over six hours when he is detailed for duties outside his place of residence;

(*iii*) recommend to Government compensation if he sustains any injuries in the performance of duties.

Rules to apply to persons appointed before coming into force of the rules.

25. The Home Guards constituted before the commencement of these rules shall be deemed to have been constituted under these rules and these rules shall apply to them accordingly.

V. VEDAVYASACHARYA, *Chief Secy. to Govt.*

FORM I.

APPLICATION FOR ENROLMENT AS A MEMBER OF THE HOME GUARD.

(*Rule* 7).

Serial No..... District..... Taluk or.....Town.....

1. Name and avocation.....
2. Father's name and avocation.....
3. Address.....
4. Age and date of birth.....
5. Religion and caste.....
6. Height and Weight.....
7. Educational qualifications.....
8. Property and monthly income.....
9. Whether a member of any organisation, communal, political or social. Mention names of organisations and duration of each membership.
10. Any special qualification or training or aptitude.

Declaration :—I am aware that the service for which I have enrolled is honorary and entirely voluntary.

I have understood and accept the conditions of the Home Guards Service.

Station.....

Date..... Signature.

FORM II.

(*Rule* 11.)

I

(For ordinary guards).

Under Section 3 of the Mysore Home Guards Act, 1941 (Act No. XIV of 1941), the District Magistrate of..... appoints.....of.....(residence) to be a member of the Home Guard of the.....District

Station..... District Magistrate,

Date..... .....District.

II.

(For Commanders).

Under Section 3 of the Mysore Home Guards Act, 1941 (Act No XIV of 1941), the District Magistrate of.....appoints .....of.....(residence) to be a member of the Home Guard of the..... .....District. And further, under the said section 3, the District Magistrate appoints the said member to be a.....Commander in the Home Guard.

Station..... District Magistrate,

Date..... .....District.

No. SD. 2442—C 100-47-103, dated Bangalore, the 22nd—25th September 1948

In exercise of the powers conferred by Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers), Act 1947 (Act XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, promulgated under notification No. SD. 9938/C. 100-47-68 dated 1-6-1948 and to direct further with reference to sub-rule (1) of Rule 119 of the said rules that notice of these amendments shall be given by publication of the same in the *Mysore Gazette* :—

Amendment.

In the said Order in items (ii) and (iii) of sub-clause (f) of Clause 2 after the words "next harvest", and before the words "at the rate of" occurring in the two items, the following words and figures shall be inserted, namely:—

"*ie.*, 1st January for paddy and rice and 1st March for ragi."

The Sub-Clause as amended will read as follows :—

(*f*) 'Normal quantity' means in relation to :—

(ii) a person who is a holder residing in a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest*, *i.e.*, 1st January for paddy and rice and March for ragi, at the rate of twelve ounces for every person of and above eight years of age and six ounces for every person under eight years of age who are dependents of such person or who reside in such establishment ;

(iii) a person who is a holder residing in an area other than a statutory rationed area, the quantity of foodgrains required for use and consumption in the household or establishment of such person for the period up to the *next harvest*, *i.e.*, 1st January for paddy and rice and 1st March for ragi, at the rate of sixteen ounces for every person of and above eight years of age and eight ounces for every person

under eight years of age who are dependents of such person or who reside in such establishment.

This will come into effect from the date of this notification.

SAFI DARASHAH,

Secretary to Government,
Food and Civil
Supplies Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. D. 1721—I. & C. 77-48-2, dated Bangalore, the 29th September 1948.

In exercise of the powers conferred by Section 12 of the Cotton Ginning and Pressing Factories Act, 1929 (VI of 1929), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Mysore Cotton Ginning and Pressing Factories Rules, 1931, published in Notification No. D. 10572—I. & C. 10-29-15, dated the 26th May 1931, namely,—

In the said Rules, for Schedule C and Schedule D, the accompanying forms embodying the amendments shall be substituted.

C. E. NORONHA, *Dev. Secy.*

SCHEDULE C.

Return of Cotton Pressed for the Week ending.....

Return under Section 5 of the Cotton Ginning and Pressing Factories Act, 1929.

1. Name of Press Factory .....
2. Name of Owner .....
3. Name of Registered Lessee (if any) .....
4. Press Mark .....
5. Correct Postal Address of the Factory.....

No. of Bales Pressed During the week		Average nett Weight per Bale in Pounds Avoirdupois		No. of Bales pressed since the commencement of the Season (*i.e.*, since 1st September) to the end of the week		Remarks (if any)
Cotton Lint	Cotton Waste	Cotton Lint	Cotton Waste	Cotton Lint	Cotton Waste	.....

Signature of Owner or Person in Charge,

Place .....

Date ..... 1948.

SCHEDULE D.

Statement of Cotton Pressed in the Mysore State for the Week ending .....

(Section 5(2) of the Cotton Ginning and Pressing Factories Act, 1929.)

Names of Division or Block	No. of Bales Proposed		No. of Bales Proposed		Districts included in the Block.
	During the week	During the corresponding week last year	Since 1st September 19....	During the corresponding period last year.	
1	2	3	4	5	6
(a) Cotton Lint ...					
Total ...					
(b) Cotton Waste ...					
Total ...					

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. P. 6472-83—Pol. 99-48-3, dated Bangalore, 19th October 1948.

In exercise of the powers conferred by Section 8 of the Mysore Cinematograph Act, 1923 (XII of 1923), the Government of His Highness the Maharaja are pleased to direct that the following further amendment shall be made in the Mysore Cinematograph Rules, 1946, namely :—

In condition (7) of Forms A and B annexed to the said Rules, for the words and figures "after 12 midnight", the words, figures and letters "after such time not later than 1 A.M., as may be fixed by the Licensing Authority" shall be substituted.

V. VEDAVYASACHARYA, *Chief Secy.*

No. S. R. C. 14-16—48-49, dated Bangalore, the 13th October 1948.

In exercise of the powers conferred by Section 52 of the Mysore Shops and Establishments Act of 1948, (Mysore Act No. II of 1948) the Government of His Highness the Maharaja are pleased to suspend the provisions of Section 11 of the Act in Mysore City from 3rd October 1948 to 18th October 1948, both days inclusive.

No. T. 1324—R. T. 2-48-4, dated, (Camp) Mysore, the 16t h 948.

In exercise of the powers conferred by Section 37 of the Mysore Motor Vehicles and Road Traffic Act 1944, (No. XXVII of 1944), the Government of His Highness the Maharaja are pleased to make the following amendments to the Mysore Motor Vehicles and Road Traffic Rules, 1945, the draft amendments to the said Rules having been published in Part IV of the *Mysore Gazette* dated 16th September 1948, as required by Section 125 of the said Act.

Amendments.

In Rule 56-A of the Mysore Motor Vehicles and Road Traffic Rules, 1945, after the words "the Disposals Directorate of the Government of India" the words "or Ceylon" shall be inserted.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. S. D. (C. M.) 124, dated (Camp) Mysore, the 16th October 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) (Emergency Continuance) Act, 1947, (Act No. XI of 1947), the the Government of His Highness the Maharaja are pleased to prohibit the export of Bengalgram and its products, either by rail, road or otherwise, from any place in the State to any place outside the State, except under a permit issued by the Director of Food Supplies in Mysore.

2. Government further direct that with reference to Rule 119 of the said Rules that notice of this order be given by the publication in the official Gazette and by the issue of a Press Note summarising and explaining the provisions.

SAFI DARASHAH,
Food and Civil Supplies Secy.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. L. 4158—Ml. 87-48-8, Dated Bangalore. 21st October 1948.

In exercise of the powers conferred by Sections 10, 11, 204 (2) (*b*) and 206 of the Mysore Town Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to direct that the following further amendment be made in the Rules for regulating the conduct of election of members to Municipal Councils of Town Municipalities issued in Notification No. L. 1184—Ml. 86-33-1, dated 11th August 1933, *viz.*, after Rule 7, the following Rule shall be inserted as Rule 7-A.

" 7-A (1) A Polling Officer or other person who is on duty at a polling station at which he is not entitled to vote, shall, if he is certified by the Returning Officer as an elector entitled to vote at the election for the Municipal Council, be allowed to record his vote at that Polling Station. The said certificate shall be in the form* noted below:

(2) The person concerned shall proceed to one of the compartments in the polling station and there mark his vote on the voting paper issued by the Polling Officer. He shall then place the voting paper in an envelope which shall be supplied to him for the purpose and hand it over to the Polling Officer after sealing. The Polling Officer shall then transmit it along with the certificate to the Returning Officer and the Returning Officer shall cause such votes to be included among other votes given for the canditate or candidates designated by the voter".

SYED ABDUL ALEEM, *Rev. Secy.*

Form of certificate entitling a person to vote at the polling station where he is appointed for duty.

.....MUNICIPALITY.....

Sri .....Being duly registered as voter No ..... in ..... Division of the.....Town/Minor Municipality and being duly appointed for duty at the Polling Station.....of.....Division is entitled to record his vote at Polling Station.....of.....Division and at no other.

Returning Officer,
.....*Municipality.*

No. L. 4158—Ml. 87-48-8, Bangalore, dated the 21st October 1948.

In exercise of the powers conferred by Sections 6 (3) (a) and 106 (2) (b) of the Mysore Minor Municipalities Act, 1933, the Government of His Highness the Maharaja are pleased to direct that the following further amendment be made in the Rules for regulating the conduct of election of members to Municipal Councils of Minor Municipalities issued in Notification No. L. 1399—Ml. 99-33-1, dated 22nd August 1933, *viz.*, "After Rule 7, the following rule shall be inserted as Rule 7-A: '7-A (1) A Polling Officer or other person who is on duty at a polling station at which he is not entitled to vote, shall, if he is certified by the Returning Officer as an elector entitled to vote at the

election for the Municipal Council, be allowed to record his vote at that Polling Station. The said certificate shall be in the form* noted below :—

(2) The person concerned shall proceed to one of the compartments in the polling station and there mark his vote on the voting paper issued by the Polling Officer. He shall then place the voting paper in an envelope which shall be supplied to him for the purpose and hand it over to the Polling Officer after sealing. The Polling Officer shall then transmit it along with the certificate to the Returning Officer and the Returning Officer shall cause such votes to be included among other votes given for the candidate or candidates designated by the voter."

SYED ABDUL ALEEM, *Rev. Secy.*

***Form of certificate entitling a person to vote at the polling station where he is appointed for duty.**

.....MUNICIPALITY.

Sri.....being duly registered as voter No..... in ..... Division of the ..... Town/Minor Municipality and being duly appointed for duty at the Polling Station..... of..... Division is entitled to record his vote at Polling Station ..... of ..... Division and at no other.

Returning Officer,
.....*Municipality.*

No. T. 1371—R. T. 25-47-10, dated, (Camp) Mysore, 20th October 1948.

In exercise of the powers conferred by Section 53 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944), the Government of His Highness the Maharaja are pleased to make the following further amendments to the Mysore Motor Vehicles and Road Traffic Rules, 1945, the draft of the same having been previously published in the *Mysore Gazette*, dated the 25th March 1948, as required by Section 125 of the said Act, namely:—

AMENDMENT.

Rule 132 of the Mysore Motor Vehicles and Road Traffic Rules, 1945, shall be renumbered as Sub-rule (a) of

Rule 132 and after the Rule as so renumbered, the following Sub-rule shall be inserted, *viz.*,—

"(*b*) No permit to ply for hire in Mysore shall be granted to any stage carriage or goods vehicle which is more than five years old from the date of its original registration :

Provided that, if the stage carriage or goods vehicle is found to be fit for use on the road after the expiry of the period for which the permit was granted, the period of permit may be extended by the Mysore Traffic Board, the period so extended not exceeding six months at a time or a total period of two years in any case :

Provided further that if the engine of a stage carriage or a goods vehicle is replaced by a new engine, a permit in respect of such stage carriage or goods vehicle may be granted or extended for such period not exceeding six months at a time or two years in the aggregate, the said period commencing from the year of manufacture of the new engine".

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. P. 7335 – Pol. 127-48-1, dated Bangalore, 6th November 1948.

The Government of His Highness the Maharaja are pleased to extend the provisions of Section 56 of the Mysore Police Act (Act V of 1908) as amended from time to time to the Retroceded Area, Bangalore, as specified in the Retrocession (Application of Laws) Act, 1947, (Act XXIII of 1947).

K. SRINIVASAN, *Chief Secy.*

No. A. F. 2805—Agri. 216-47-5 dated Bangalore, 4th November. 1948.

WHEREAS by Notification No. A. F. 2791/ Agri. 216-47-4 dated 4th November 1948, under Section 3 of the Destructive Insects and Pests Act, 1917, the whole of Mysore State (hereinafter referred to as the notified area) has been declared to be a place infected with the rust diseases of wheat and barley during the period ending on the 30th day of September 1950,

In exercise of the powers conferred by Section 4 of the Destructive Insects and Pests Act, 1917 the Government of His Highness the Maharaja are pleased to make the following order, namely.—

Order

1. It shall not be lawful for any person to plant or re-plant with wheat or barley crop the whole or any part of the notified area in any year during the period between the 1st day of April and the 30th day of September (both days inclusive).

2. All cultivated or self-sown wheat or barley plants and stubes and tillers of any previous wheat or barley crop within the notified area shall be uprooted and burnt where found during the period specified in clause 1.

3. The Director of Agriculture and any officer authorised by him are empowered to give effect to the order.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. Fl.4254—S. T. 1-48-17, dated Bangalore, 9th November 1948.

In exercise of the powers conferred by Section 6 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to direct that dealers in petroleum shall be exempt from payment of sales tax on that part of their turnover relating to sales of petroleum to the Mysore Palace, subject to the condition that no sales tax in respect of such sales to the Palace shall be collected by the dealers under Section 11.

No. Fl. 4256—S. T. 1-48-20, dated Bangalore, 9th November 1948.

In exercise of the powers conferred by Section 6 (1) of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to direct that in item (4) occurring in Notification No. Fl. 1869—S. T. 1-48, dated the 24th August 1948, before the word "Kerosene," the word "illuminating" shall be inserted and shall be deemed always to have been inserted.

No. Fl.4258—S. T. 1-48-23, dated Bangalore, 9th November 1948.

The following draft of certain amendments to the Schedule to the Mysore Sales Tax Act, 1948 (XLVI of 1948), which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by the proviso to sub-section (4) of section 3 of the said Act, is hereby published for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 15th November 1948. Any objection or suggestion which may be received in respect of the draft before the said date will be considered by the Government.

Draft Amendments.

1. For sub-rule (2) of rule 1 of the Rules for the computation of turnover, the following sub-rule shall be substituted :—

"(2) (i) In the case of the undermentioned goods, the gross turnover of a dealer shall be the amount for which the goods are bought by him—

(*a*) untanned hides and skins bought by a licensed tanner in Mysore, and

(*b*) untanned hides and skins, exported outside Mysore by a licensed dealer in hides or skins.

(ii) In the case of the undermentioned goods, the gross turnover of a dealer shall be the amount for which the goods are bought by him for export outside Mysore, namely :—

(*a*) groundnut,
(*b*) areca,
(*c*) copra and cocoanut,
(*d*) raw coffee,
(*e*) cardamom, and
(*f*) unmanufactured tobacco."

2. Rule 3 of the Schedule shall be omitted.

No. Fl. 4261—S. T. 1-48-24, dated Bangalore, 9th November 1948.

In exercise of the powers conferred by section 6 of the Mysore Sales Tax Act 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to make an exemption in respect of tax payable under the said Act on the sale of goods specified hereunder at all points in the series of sales by successive dealers throughout Mysore, subject to the condition that the turnover in respect of the sale of such goods shall be included in

determining the turnover of a dealer for the purposes of sub-section (3) of section 3 of the said Act, namely :—

1. Firewood and Charcoal.
2. Thupra or beedi wrapper leaves.
3. Text Books, slates and pencils, exercise and drawing books, chalk sticks and crayons, erasers and other articles used in educational institutions when sold to *bona fide* students if the cost of the article sold is less than eight annas.
4. Ribbon, Nakki and Gota.
5. Gold-thread.

S. KANAKARATNARAJ,
Legal Member. and Law Secy.

No. S. D. 3063—C. 54-48-12, dated Bangalore, 1st November 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous (Temporary Powers) Act, 1947, (Act XX of 1947), and in partial modification of Government Notification No. S. D. 1778—C. 54-48-3, dated 4th September 1948, the Government of His Highness the Maharaja are pleased to direct that the maximum prices to be paid in respect of foodgrains requisitioned according to clauses 3 and 4 of the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, be fixed as under.

They further direct with reference to sub-rule (1) of Rule 119 of the said rules that notice of this order shall be given by the publication of the order in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

		Per palla of 100 seers. Rs.
Paddy Fine	...	... 22
Medium	...	... 20
Coarse	...	... 18
Ragi and Jola	...	... 20

No. S. D. 3084—C. 107-47-48, dated Bangalore, the 3rd November 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947) and in supersession of all previous notifications in this behalf, the Government of His Highness the Maharaja are pleased to make the following Order :—

No person shall export groundnuts (both shelled and unshelled), by rail, road or otherwise from any place in the State to any place outside the State, except under permits issued by the Director of Food Supplies in Mysore, Bangalore.

Government further direct with reference to Rule 119 of the said Defence of India Rules that notice of this Order be given by publication of the same in the official Gazette and by the issue of a Press Note explaining its provisions.

SAFI DARASHAH,
Food and Civil Supplies Secy.

No. D. 2827—I. & C. 44-48-6, dated Bangalore, the 10th November 1948.

In exercise of the powers conferred by Section 9 of the Mysore Power Alcohol Act (VIII of 1939), the Government of His Highness the Maharaja are pleased to declare that the provisions of the said Act shall not apply to petrol required for use by the Defence Services of the Government of India.

K. CHICKANARAYANASWAMI, *Dev. Secy.*

No. Fl. 4299—S. T. 1-48-25, dated Bangalore, the 10th November 1948.

In exercise of the powers conferred by Section 6 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are hereby pleased to direct that all goods which are sold to the Mysore Palace and which are chargeable to Sales Tax under the said Act shall be exempt from the levy of Sales Tax.

S. KANAKARATNARAJ,
Legal Rembcr. and Law Secy.

No. T. 1522—R.T. 28-48-1, dated 9th November 1948.

THE MYSORE COMMERCIALLY IMPORTED TRANSPORT MOTOR VEHICLES CONTROL ORDER, 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, the Government of His Highness the Maharaja are pleased to make the following Order and to direct, with reference to sub-rule (1) of Rule 119 of the said Rules, that notice of the Order shall be given by publication of the same in the Official Gazette :—

1. (1) This Order may be called the Mysore Commercially Imported Transport Motor Vehicles Control Order, 1948.

(2) It shall come into force at once.

(3) It extends to the whole of Mysore.

(4) The Mysore Commercially Imported Transport Motor Vehicles Control Order, 1946, is hereby repealed.

Anything done under any of the provisions of the repealed order shall so far as may be, be deemed to have been done under the corresponding provisions of the new order.

2. In this Order, unless there is anything repugnant in the subject or context,—

(*a*) "the Act" means the Mysore Motor Vehicles and Road Traffic Act, 1944;

(*b*) "commercially imported transport motor vehicle" means any motor vehicle of the description given in the First Schedule to this Order, imported or received in India for civil use on or after the date on which this Order comes into force;

(*c*) "dealer" means any person appointed as such under clause 3 of this Order;

(*d*) "distributor" means any person carrying on, within Mysore, the business of the import or receipt in India of Motor Vehicles for civil use and whose name is for the time being specified in the Second Schedule to this Order;

(*e*) "offer to sell" shall be deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a transport motor vehicle made by the publication of a price list by exposing the transport motor vehicle for sale in association with a mark indicating price, by the furnishing of a quotation or otherwise howsoever;

(*f*) "Motor Transport Controller" means the Officer appointed by the Government to be the Motor Transport Controller for the purposes of this Order, and includes any other officer authorised by the Government to perform any of the functions of the Motor Transport Controller under this Order;

(*g*) "registering authority" means the authority empowered to register motor vehicles under Chapter III of the Mysore Motor Vehicles and Road Traffic Act, 1944;

(*h*) "schedule" means a schedule to this Order;

(*i*) "sub-dealer" means a person appointed as such under clause 3 of this Order.

3. (1) A distributor may, by a written order in the form set out in the Third Schedule to this Order, appoint, in respect of such areas as the order may specify, one or more dealers or sub-dealers for commercially imported transport motor vehicles of any make or makes for which he is a distributor.

(2) The distributor may, at any time, by a written order, revoke or modify any such order of appointment made by him.

(3) The distributor shall forward a copy of every order made under sub-clause (1) or sub-clause (2) to the Motor Transport Controller.

4. The Government may, by a notification in the Official Gazette specify the maximum retail price of commercially imported transport motor vehicles of any type and make and by any general or special order regulate the prices at which and the conditions subject to which commercially imported transport motor vehicles may be sold by a distributor to a dealer or by a dealer to a sub-dealer.

5. Every dealer or sub-dealer shall, by notice in the form set out in the Fourth Schedule to this Order, prominently exhibited on his business premises, indicate the maximum retail prices specified under clause 4 in respect of each make and type of commercially imported transport motor vehicles kept by him for sale.

6. No person shall sell or transfer or offer to sell, or transfer, any commercially imported transport motor vehicle

at a price exceeding the maximum retail price specified under clause 4 nor shall he demand or receive any other consideration in excess of that price.

7. (1) The Government may, by order in writing, direct any distributor, dealer or sub-dealer to reserve 33⅓ per cent of the total number of commercially imported transport motor vehicles imported or received by them as the case may be for sale to such person or persons as may be specified in the order:

(2) Provided that if no order is received by a distributor, dealer or sub-dealer in respect of any consignment of commercially imported transport motor vehicles reserving one or more of such motor vehicles for more than twenty days from the date of receipt by the Motor Transport Controller of intimation of the receipt of such consignment, the distributor, dealer or sub-dealer, as the case may be, may sell or otherwise dispose of any such commercially imported transport motor vehicle to any person whatsoever;

The order shall specify the type and make of the commercially imported transport motor vehicles which should be so reserved.

8. No registered owner of a commercially imported transport motor vehicles registered in Mysore shall remove it, or cause or allow it to be removed, outside Mysore otherwise than in accordance with the general or special permission in writing of the Government.

9. (1) Every distributor or dealer shall keep such records and furnish such returns in relation to commercially imported transport motor vehicles as the Government may from time to time by general or special order require.

(2) Every sub-dealer shall keep such records and furnish such returns in relation to commercially imported transport motor vehicles as the Motor Transport Controller may from time to time by general or special order require.

10. Every distributor, dealer or sub-dealer shall at any reasonable time produce for inspection by any person authorised in writing in this behalf by the Government or the Motor Transport Controller any commercially imported transport motor vehicle in his possession, and any accounts, books and such other records that are maintained or are required to be maintained by him under clause 9.

11. An officer empowered in this behalf by the Government may, with a view to securing compliance with this order—

(a) require any distributor, dealer or sub-dealer to furnish any information the officer may require as to the business in motor vehicles carried on by such distributor, dealer or sub-dealer;

(b) inspect or cause to be inspected any books or other documents belonging to such distributor, dealer or sub-dealer.

12. If in the opinion of the Government any distributor, dealer or sub-dealer has—

(a) contravened any of the provisions of this Order or of any other Order under the Defence of India Rules as applied to Mysore and continued under the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 in respect of any motor vehicle;

(b) made any false declaration or statement in relation to any transaction in respect of commercially imported transport motor vehicles; or

(c) committed any breach of the terms of any contract with the Government, the Government of India or Provincial Governments relating to the operation or maintenance of transport vehicles; or

(d) been declared an insolvent; or

(e) otherwise shown himself unfit to continue as a distributor, dealer or sub-dealer;

then the Government may, without prejudice to any other action that may be taken against any such distributor, dealer or sub-dealer direct the removal of his name from the second schedule to this order whereupon such person shall cease to be a distributor, dealer or sub-dealer for the purposes of this order.

13. Any court trying a contravention of this order may direct that any motor vehicle in respect of which the court is satisfied that this order has been contravened shall be forfeited to the Government.

FIRST SCHEDULE.

See *Clause 2 (b)*.

Descriptions of Motor Vehicles falling within the definitions of Commercially Imported Transport Motor Vehicles.

Serial No.	*Make*	*Wheel base*	*Description*
1.	Albion ...	All wheel bases	All types
2.	Bedford ...	Do ...	Do
3.	Commer ...	Do ...	Do
4.	Jowett ...	Do ...	Do
5.	Leyland ...	Do ...	Do
6.	Morris Commercial	Do ...	Do
7.	Chevrolet ..	Do ..	Do
8.	Diamond T ...	Do ...	Do
9.	Dodge ...	Do ...	Do
10.	Fargo ...	Do ...	Do
11.	Ford ...	Do ...	Do
12.	G. M. C. ...	Do ...	Do
13.	International ...	Do ...	Do
14.	Reo ...	Do ...	Do
15.	Studebaker ...	Do ...	Do
16.	Karrier ...	Do ...	Do
17.	Austin ...	Do ...	Do

SECOND SCHEDULE.

See *Clause 2 (d)*.

List of Distributors.

Serial No.	Name of Distributor	Place at which business premises of the Distributor are situated	Description of the territory in which the Distributor has a trading area	Description of commercially imported transport motor vehicles in respect of which appointed as Distributor

THIRD SCHEDULE.

See *Clause 3*.

I, being a distributor under Mysore Commercially Imported Transport Motor Vehicles Control Order, 1948, appoint you.....having your place of business at .....to be a dealer/sub-dealer for the distribution of.....being commercially imported transport motor vehicles. The territory in which you will have a trading area is .....

Distributor.....

Copy forwarded to the Motor Transport Controller.....State.

Distributor.....

FOURTH SCHEDULE.

See *Clause 5.*

Maximum retail prices of Commercially Imported Transport Motor Vehicles.

Make	Wheel base	Chassis only, or with goods body, or with passenger body, etc., description of any other special equipment	Maximum retail prices	Note
				Under the provisions of the Mysore Commercially Imported Transport Motor Vehicles Control Order, 1948, dealers and sub-dealers are authorised to charge in the case of a new commercially imported transport motor vehicle to be sold, in addition to the retail price, delivery charge from the premises of the dealer or the sub-dealer consisting of such items as sanctioned by the Government from time to time. The items at present sanctioned are.. .. ..

Date..... Dealer/Sub-Dealer.....

No. T. 1523—R. T. 29-48-1, dated 9th November 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (No. XX of 1947) the Government of His Highness the Maharaja are pleased to make the following order, and to direct with reference to sub-rule (1) of Rule 119 of the said rules, that notice of the order shall be given by publication of the same in the Official Gazette :—

1. (1) This order may be called the Mysore Civil Motor Cars Control Order, 1948.

(2) It shall come into force at once.

(3) It extends to the whole of Mysore.

(4) The Mysore Civil Motor Cars Control Order, 1945, is hereby repealed. Anything done under any of the provisions of the repealed order shall so far as may be, be deemed to have been done under the corresponding provisions of the new order.

2. In this order, unless there is anything repugnant in the subject or context :—

(*a*) "The Act" means the Mysore Motor Vehicles and Road Traffic Act, 1944.

(*b*) "Controlled Motor Car" means any unused motor car of a description given in the first schedule imported into the State after the first day of April 1945.

(*c*) "Dealer" means a person appointed as such under clause 3 of this order.

(*d*) "Distributor" means any person whose name is for the time being specified in the second schedule to this order;

(*e*) "Motor Car" has the meaning assigned to it in the Act.

(*f*) "Offer to sell" shall he deemed to include a reference to an intimation by a person of the price proposed by him for a sale of a motor car, made by the publication of a price list, by expressing the motor car for sale in association with a mark indicating price, by the furnishing of a quotation or otherwise howsoever.

(*g*) "Motor Transport Controller" means the officer appointed by Government to be the Motor Transport Controller for the purpose of this order, and includes

any other officer authorised by Government to perform any of the functions of the Motor Transport Controller under this order.

(*h*) "Schedule" means a schedule to this order.

(*i*) "Sub-dealer" means a person appointed as such under clause 3 of this order.

3. (1) A distributor may by a written order in the form set out in the third schedule to this order appoint in respect of such area or areas as the order may specify a dealer or sub-dealer for controlled motor cars of any make or makes for which he is a distributor.

(2) The distributor may at any time by a written order revoke or modify any such order of appointment of a dealer or sub-dealer made by him.

(3) The Distributor shall forward a copy of every such order made under sub-clause (1) or sub-clause (2) to the Motor Transport Controller.

4. The Government may.—

(*a*) by a notification in the Official Gazette specify the maximum retail prices of controlled motor cars of any type and make; and

(*b*) by general or special order, regulate the prices at which such controlled motor cars may be sold by a distributor to a dealer or by a dealer to a sub-dealer.

5. Every dealear or sub-dealer shall, by notice in the form set out in the fourth schedule, prominently exhibited on his business premises, indicate the maximum retail prices specified under clause 4 (*a*) in respect of each type of make of controlled motor cars kept by him for sale.

6. No person shall sell or otherwise dispose of, or offer to sell or otherwise dispose of, a controlled motor car at a price exceeding the maximum retail price specified under clause 4 (*a*) nor shall he demand or receive any other consideration in excess of the price so specified:

Provided that a dealer or sub-dealer may charge in addition to the retail price so specified such items of delivery charges of the controlled motor car from the premises of the Distributor to the premises of the dealer or sub-dealer, as may be sanctioned by the Government, from time to time.

7. (1) The Government may by order in writing direct any distributor, dealer or sub-dealer to reserve twenty per cent of the total number of controlled motor cars imported or recevied by him, as the case may be,

for sale to such person or persons as may be specified in the order:

Provided that if no order is received by a Distributor, dealer or sub-dealer in respect of any consignment of Controlled motor cars reserving one or more of such motor cars for more than ten days from the date of receipt by the Motor Transport Controller of intimation of the receipt of such consignment, the distributor, dealer or sub-dealer as the case may be, may sell or otherwise dispose of any such controlled motor car to any person whatsoever.

(2) The order shall specify the type and make of the controlled motor cars which should be so reserved.

8. No person who has purchased a controlled motor car under an order issued by the Government under clause 7 shall sell or otherwise dispose of the car without the permission in writing of the Government.

9. Every distributor, dealer or sub-dealer shall keep such records and furnish such returns in relation to controlled motor cars as the Government may, from time to time by general or special order require.

10. Every distributor, dealer or sub-dealer shall produce for inspection by any person authoursed in writing in this behalf by the Government at any reasonable time any controlled motor car in his possession, and any accounts, book or such other records that are maintained or are required to be maintained under clause 9.

11. Any Officer empowered in this behalf by the Government may, with a view to securing compliance with this order:—

(*a*) require any distributor, dealer or sub-dealer to furnish information relating to his business in controlled motor cars;

(*b*) inspect or cause to be inspected any books or documents belonging to any distributor, dealer or sub-dealer.

12. If in the opinion of the Government, any distributor, dealer or sub-dealer has—

(*a*) contravened any of the provisions of this order or of any other order under the Defence of India Rules as applied to Mysore and continued to be in force under the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, in respect of any motor vehicle as the case may be, or

(*b*) made false declaration or statement in relation to any transaction in controlled motor cars;

(*c*) committed any breach of the terms of any contract entered into with the Government, the Government of India or Provincial Governments relating to the operation or maintenance of Transport Vehicles; or

(*d*) been declared an insolvent; or

(*e*) otherwise shown himself unfit to continue as a distributor, dealer or sub-dealer. Then the Government may without prejudice to any other action which may be taken against him direct the removal of his name from the second schedule to this order or cancel his appointment as dealer or sub-dealer, as the case may be, whereupon such person shall cease to be a distributor, dealer or sub-dealer, as the case may be for the purposes of this order.

12. Any Court trying a contravention of this order may direct that any controlled motor car in respect of which the Court is satisfied that this order has been contravened shall be forfeited to the Government.

FIRST SCHEDULE.

See *Clause 2(b)*.

Description of motor cars to which this order applies.

Sl. No.	*Make.*	*Type.*	*Sl. No.*	*Make.*	*Type.*
1	Austin ...	All types.	17	Buick ...	All types.
2	Bently ...	,,	18	Caddilac ...	,,
3	Daimler ...	,,	19	Chevorlet ...	,,
4	Ford ...	,,	20	Chrysler ...	,,
5	Hillman ...	,,	21	Desotto ...	,,
6	Hindustan ...	,,	22	Dodge ...	,,
7	Humber ...	,,	23	Hudson ...	,,
8	Jaguar ...	,,	24	Lasalle ...	,,
9	Lanchester ...	,,	25	Lincoln ...	,,
10	Morris ...	,,	26	Mercury ...	,,
11	Rolls Royce...	,,	27	Oldsmobile ...	,,
12	Singer ...	,,	28	Pontiac ...	,,
13	Standard ...	,,	29	Plymouth ...	,,
14	Sunbeam Talbot ...	,,	30	Studebaker ...	,,
			31	Terraplane ...	,,
15	Vauxhall ...	,,	32	Citron ...	,,
16	Wolseley ...	,,	33	Jowett ...	,,

SECOND SCHEDULE.

See *Clause* 2 (*d*).

List of Distributors.

Serial No.	Name of Distributor	Place at which business premises of the distributor are situated	Description of the territory in which the distributor has a trading area	Description of motor cars in respect of which he has been appointed a distributor
1	Messrs. V. S. T. & Sons.	Lakshmivilas, High Grounds, Bangalore City.	Mysore State ...	Austin.

THIRD SCHEDULE.

See *Clause* 3.

I .... being a distributor under the Mysore Civil Motor Cars Control Order, 1948, appoint you ..... to be a dealer/sub-dealer for the distribution of ..... motor cars. Your place of business will be ..... and the territory in which you have a trading area is .....

Copy forwarded to the Motor Transport Controller, Mysore State,

.....
Distributor.

.....
Distributor.

FOURTH SCHEDULE.

See *Clause* 5.

Maximum Retail Prices of Controlled Motor Cars.

Make	Type	Maximum Retail Price	Note
...	...	...	Under the provisions of the Mysore Civil Motor Cars Control Order, 1948, dealers and sub-dealers are authorised to charge, in addition to the retail price delivery charges from the premises of the importer to the premises of the dealer or the sub-dealer consisting of such items as sanctioned by Government from time to time. The items at present sanctioned are ....

Dealer/Sub-dealer.....

Date .....

By Order,
MOHAMED ISMAIL SHERIFF,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. A. F. 2846—Agri. 227-47-6, dated Bangalore, 10th November 1948.

In exercise of the power conferred by Section 3 of the Mysore Cotton Control Act, 1942 (XII of 1942) and in supersession of Notification No. A. F. 5625—Agri. 227-47-2, dated the 4th June 1948, the Government of His Highness the Maharaja are pleased to direct as follows —

(i) No person shall use the name "M.A.V" in respect of any cotton except with the approval of Government:

Provided that this clause shall not apply to any cotton carrying a seal or covered by a certificate that it is M.A.V. cotton issued by an officer or authority appointed by Government in this behalf.

(ii) No person shall deal in any M.A.V. cotton unless such cotton is covered by a certificate granted by an officer or authority specified in clause (1) that such cotton is M.A.V. cotton.

(iii) No person shall mix M.A.V. cotton with any other variety of cotton and no person shall be in possession of any such mixed cotton.

(iv) No person shall take or export outside Mysore any cotton as M.A.V. cotton unless such cotton is covered by a certificate issued by an officer or authority specified in clause (i).

This Notification shall apply to the whole of Mysore State and shall remain in force for a period of five years.

MAHOMED ISMAIL SHERIFF, *Genl Secy.*

CORRIGENDA.

No. S. D. 3896, dated Bangalore, 11th November 1948.

In the Mysore Cotton Textiles (Control) Order, 1948, issued with Notification No. S.D. 1755—Co. 2-48-2, dated the 2nd—4th September 1948 as a Gazette Extraordinary;

1. For the word "Milling" occurring in line 2 of clause 2, read "Filling";
2. For the word "anciliary" occurring in line 2 of clause 3 (*f*), read "ancillary";

and 3. For the word "with" occurring between the words 'instituted' and 'the' in line 2 of clause 36, read "without".

SAFI DARASHAH,
Food and Civil Supplies Secy.

Printed by the Director at the Government Press, Bangalore.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. D. 2650—Geo 48-48-2, dated Bangalore, 5th November 1948.

The draft of the following Rules which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by section 4 and sub-section (i) of section 29 of the Mysore Petroleum Act, 1942 (VI of 1942), as applied to the storage and transport of cinematograph films having a nitro-cellulose base in Notification No. R.L. 1316—Legis. 37-41-1, dated 27th January 1942, are hereby published for the information of all persons likely to be affected thereby as required by sub-section (ii) of section 29 of the said Act.

Notice is hereby given that the draft will be taken into consideration after one month of publication of this notification.

Objections or suggestions, if any, may be forwarded to the Secretary to Government, General Department, for consideration so as to reach him on or before the said date.

Objections or suggestions received after the said date will not be considered.

By Order,

MOHAMED ISMAIL SHERIFF,

Secretary to Government,
General Department.

THE MYSORE CINEMATOGRAPH FILM RULES, 1948.

CHAPTER I.

Preliminary.

Short title and application.

1. These rules may be called the Mysore Cinematograph Film Rules, 1948.

Savings.

2. Anything not in conformity with these rules which was permitted to be done by or under any rules in force immediately before the coming into force of these rules, may be permitted by the Chief Inspector by order in writing to be continued for such period not exceeding one year as may be specified in the order.

Definitions.

3. In these rules, unless there is anything repugnant in the subject or context.—

(*a*) "The Act" means the Mysore Petroleum Act, 1942 (VI of 1942);

(*b*) "Cabinet" means any shelved closet or cupboard constructed and equipped in accordance with the requirements of these rules for keeping film and according to a design approved by the Chief Inspector;

(*c*) "Chief Inspector" means the Chief Inspector of Mines and Explosives in Mysore;

(*d*) "District Magistrate" means the Senior Magistrate of the District.

(*e*) "Examination Room" means a room where film is examined, repaired, cleaned, waxed or rewound;

(*f*) "Film" means motion picture or sound recording film having a nitro-cellulose base whether in the form of exposed or unexposed film, positives, negatives, scraped or used film;

(*g*) "Film cement" means any compound of collodion, amyl acetate or similarly combustible cements used for repairing film;

(*h*) "Inspector" means an officer authorised by the Government under sub-section (1) of section 13 of the Act;

(*i*) "Partition" means a wall constructed of non-inflammable materials conforming to one of the specifications given in Schedule I;

(*j*) "Prescribed Container" means a receptacle which—

(i) is made of metal to hold one or two standard rolls and is of a design approved by the Chief Inspector;

(ii) is kept closed at all times except when standard roll is being placed in or is being withdrawn from it; and

(iii) bears a stamped, embossed, painted or printed warning exhibiting in conspicuous characters the words "Nitrate Motion Picture Film," and also either the words "Highly Inflammable" or "The contents are dangerous if exposed to excessive heat or open flame";

(*k*) "Standard Roll" means a roll of film $1\frac{3}{8}$ inches (35 mm.) wide and approximately 1,000 feet long weighing approximately five pounds, used as a unit in calculating the weight of film;

(*l*) "Storage Shed" means a building used for the storage of film in quantity not exceeding 1,000 lbs.;

(*m*) "Transport box" means a box intended for packing prescribed containers of film, constructed according to specification laid down in Schedule II;

(*n*) "Vault" means any premises constructed and equipped in accordance with the requirements of these rules for the storage of film in quantity exceeding 1,000 lbs.

4. Nothing in these rules shall apply to the handling of film—

(*i*) in the enclosures used for the operation of motion picture projectors which are licensed under Section 3 of the Cinematograph Act 1923 (XII of 1923) and

(*ii*) in exposing operations.

Power to exempt.

5. Where the Chief Inspector is satisfied that in any particular circumstances all or any of the provisions in these regulations are not necessary for the protection of persons or property he may grant an exemption in writing for all or any of such provisions in such cases and to such extent and subject to such conditions as he may specify.

CHAPTER II.

Transport of Film.

Prevention of accidents.

6. All due precautions shall be taken at all times to prevent accident by fire or explosion.

Prohibition of fires and smoking.

7. No fire, light, or other means of ignition capable of igniting film and no smoking shall be allowed in any vehicle carrying film.

Receptacles for film.

8. Film shall be contained only in a prescribed container.

Transport of film contained in prescribed containers.

9. (*i*) The prescribed containers containing film shall be packed in a "transport box";

(*ii*) No transport box shall be taken into use unless its design is approved in writing by the Chief Inspector;

(*iii*) Where the approval of the Chief Inspector is sought to a type of a container three copies of a detailed drawing thereof drawn to scale shall be forwarded to him;

(*iv*) Nothing in sub-rules (*i*) to (*iii*) shall apply to the transport of unexposed film packed in original shipping containers, complying with the Board of Trade Regulations.

Transport of film in vehicles.

10. Film may be transported in a vehicle, provided :—

(*i*) No other highly inflammable goods are carried in the vehicle;

(*ii*) No passengers are allowed to be carried in the vehicle;

(*iii*) The consignment is attended by a responsible person; and

(*iv*) The film during transit is deposited in a building fulfilling the requirements of conditions endorsed on license form C, D or E, as the case may be according to the quantity of film carried.

Transport of film in vehicles carrying passengers.

11. (*i*) Notwithstanding anything contained in rule 10, film may be carried in any vehicle carrying passengers subject to the following conditions :—

(*a*) the quantity carried in any one vehicle shall not exceed 200 pounds;

(*b*) the film shall not be deposited during transit in any building other than one fulfilling the requirements of the conditions endorsed on license Form C.

(*ii*) Nothing contained in clause (b) of sub-rule (i) shall apply to film in quantity not exceeding 20 pounds.

Prohibition to transport film in vehicles fitted with producer-gas generators.

12. Film shall not be carried in motor vehicles fitted with producer-gas generators.

13. (1) Film while in custody of the railway administration for despatch or delivery or while in transit shall not be stored except in a cool and shaded place away from other articles where it is not exposed to direct rays of the sun. Transport by Railway.

(2) Where film is conveyed by rail it shall be subject to all the regulations which may from time to time be prescribed generally or specially in that behalf by the railway administration over whose line it is conveyed.

(3) All fires, lights and other means of ignition capable of igniting film shall be kept away from film stored as provided in sub-rule (1).

14. Film may be carried in the rear brake-van of mixed or passenger train subject to a limit of six transport boxes per van. Transport by mixed or passenger train.

15. (*i*) No person shall deliver any film to any one in Mysore State other than the holder of a storage license or his authorised agent or railway administration. Restriction on delivery and despatch of film.

(*ii*) No person shall despatch any film to any one in Mysore State other than the holder of a storage license.

(*iii*) This rule shall not apply to the delivery or despatch of film in quantities which are permitted by these rules to be stored without license.

16. Nothing in rules 10, 11 and 15 shall apply to film in possession of State Forces or of His Majesty's Forces. Exemption.

CHAPTER III.

Storage of Film.

17. No person shall store any film except under a license granted under these rules : License for storage.

Provided that no license shall be required for the storage of film in any quantity not exceeding 20 lbs. if it is kept in prescribed containers and in a well ventilated room which is not used as a living room :

Provided further that no license shall be required for the temporary storage of films, whilst the film is in the custody of a Railway Administration in its capacity as carrier.

18. (1) No person shall smoke in any premises where film is stored or handled. Conspicuous "No Smoking" signs shall be posted or hung up at prominent places outside the rooms where film is stored or handled. Precautions against fire.

(2) No person shall carry matches, fuses or other appliances for producing ignition or explosion in any premises where film is stored or handled.

(3) No fire, furnace or other source of heat or light other than approved electric light shall be allowed in any premises where film is stored or handled.

(4) Efficient means of extinguishing fires shall always be maintained in proper working order outside the premises where film is stored or handled.

Exclusion of unauthorised persons.

19. Adequate precautions shall be taken to prevent unauthorised persons from having access to any premises used for the storage or handling of film.

Supervision of operations within the storage place and/or examination room.

20. All operations within a vault, storage shed or examination room shall be at the ceiling under the supervision of an experienced responsible agent or supervisor authorised in this behalf by the licensee.

Spacing of workers.

21. The number of persons working in any examination room shall not be more than the number of workers based on a ratio of 35 square feet of floor area per person.

Tables and racks.

22. Tables and racks used in connection with the handling or examination of film shall be of metal or other non-combustible material. Tables shall not be provided with racks or shelves underneath them, which might be used for keeping film.

Restriction on storage of loose film.

23. Film shall always be kept in prescribed containers except when it is being examined, repaired, cleaned waxed or rewound.

Exits and Aisle space.

24. Aisle space shall not be less than 30 inches clear where walking in the room or rooms, used for the storage or handling of film, is necessary. Any room or rooms in which two or more persons work together at the same time shall have two or more exits remote from each other. Such exits shall open outwards.

Film cement.

25. Inflammable cement such as compounds of collodion, amyl acetate, etc., shall not be kept in any vault, storage shed, or examination room in quantities greater than one quart at any one time.

Night working.

26. No work shall be permitted between sunset and sunrise in any vault, storage shed or examination room, except where approved electric lighting as specified in rule 27 is exclusively used.

Electrical Installation.

27. (*a*) All lights in vault, storage shed or examination room shall be at the ceiling and of the fixed type.

They shall be fitted with substantial outer protecting vapour-proof globes and equipped with keyless sockets. All switches, fuses, plugs, sockets, electric meters and distribution boards shall be installed outside the vault, storage shed or examination room. All frames shall be effectively earthed.

(*b*) All electric wiring and equipment shall conform to the Regulations for the Electrical Equipment of Buildings framed by the Institution of Electrical Engineers. All electric wiring shall be in gas-tight screwed conduits which shall be electrically and mechanically continuous throughout and effectively earthed outside the building.

(*c*) Portable electric lights on extension cords shall not be used in any vault, storage shed or examination room.

Children.

28. No person under the age of 15 years shall be employed in or allowed to enter any premises licensed under these rules.

Posting up rules and conditions.

29. Copies of the preceding rules in this Chapter and of the conditions of the license shall be exhibited in a conspicuous place in every licensed premises.

Exemption

30. Nothing in rule 17 shall apply to Film in the possession of State Forces or of His Majesty's Forces.

CHAPTER IV.

Licenses.

Application for license.

31. (1) A person wishing to obtain or to renew a license prescribed under these rules shall submit an application in writing to the authority empowered to grant such a license.

(2) Every application for the grant or renewal of a license to store Film shall be in Form B.

Grant of license.

32. (i) Licenses for storage may be granted by the licensing authorities set forth in Schedule III in the Forms prescribed for the purposes, and on payment of the fees, specified therein. Where the licensing authority is the Chief Inspector a copy of the license shall be forwarded to the District Magistrate for his record.

(ii) Every license granted or renewed under these rules shall remain in force until the 31st day of December of the year for which the license is granted or renewed.

(iii) Where the licensing authority is the Chief Inspector, an applicant for a new license may apply to the District Magistrate for a certificate to the effect that there is no objection to the applicant receiving a license for the site proposed and the District Magistrate shall, if he sees no objection, grant such certificate to the applicant who may forward it to the Chief Inspector with his application in Form B.

(iv) The Chief Inspector may refer an application not accompanied by a certificate granted under sub-rule (iii) to the District Magistrate for his observations.

(v) If the District Magistrate either on a reference being made to him or otherwise, intimates to the Chief Inspector that any license which has been applied for should not in his opinion be granted, such license shall not be issued without the sanction of Government.

(vi) In the case of a license granted for storage one copy of the plan or plans of the storage premises signed in token of approval by the licensing authority shall be attached to the license and one copy shall be filed for record in the office of the licensing authority.

Particulars of license.

33. Every license granted under these rules shall be held subject to the conditions endorsed on it and shall contain all the particulars which are contained in the form prescribed for it by these rules.

Power of licensing authority to alter conditions.

34. (1) Notwithstanding anything contained in rule 33, the licensing authority at the time of issuing a license may omit, alter or add to any of the conditions specified in the prescribed form of license.

(2) The power conferred by sub-rule (1) shall not be exercised by the District Magistrate without the prior concurrence of the Chief Inspector.

Amendment of license.

35. (1) Any license granted under these rules may be amended by the authority granting such a license: provided that the amendments shall not be inconsistent with any rule in this chapter.

(2) A licensee who desires to have his license amended shall submit it to the licensing authority with an application stating the nature of the amendment and the reasons therefor.

(3) The fee for the amendment of a license shall be one rupee plus the amount (if any) by which the fee that would have been payable if the license had originally been issued in the amended form exceeds the fee originally paid for the license.

36. (1) A license may be renewed by the authority empowered to grant such a license; Renewal of license.

(2) Every application for the renewal of a license shall be made not less than 30 days before the date on which the license expires, and, if the application is so made, the premises shall be held to be duly licensed until such date as the licensing authority renews the license or until an intimation that the renewal of the license is refused has been communicated to the applicant.

(3) The same fee shall be charged for the renewal of a license as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), the license shall be renewed only on payment of double the fee ordinarily payable for the license.

37. (1) A licensing authority refusing to grant, amend or renew license, shall record his reasons for such refusal in writing. Refusal of license.

(2) A copy of the order containing the reasons for such refusal shall be given to the applicant on payment of a fee of one rupee.

38. (1) Every license granted under these rules shall be liable to be cancelled by orders of the licensing authority for any contravention of the Act or of any rule thereunder, or of any condition contained in such license. Cancellation of license.

(2) A licensing authority cancelling a license shall record his reasons for so doing in writing.

(3) A copy of the order containing the reasons for the cancellation of a license shall be given to the holder of the license on payment of a fee of one rupee.

39. (1) An appeal shall lie against any order refusing to grant, amend or renew a license or cancelling a license— Appeals.

(*a*) to the Government where the order is passed by the Chief Inspector, and

(*b*) to the Chief Inspector if the order is passed by the District Magistrate.

(2) Every appeal shall be in writing and shall be accompanied by a copy of the order appealed against and shall be presented within 60 days of the order passed if preferred to the Government and within 30 days in the other case.

40. With every license granted for the storage of film, a copy of rules 17 to 29 in Chapter III shall be given free of charge to the licensee. Supply of rules.

Transfer of license.

41. (1) The holder of a license for the storage of film may, at any time before the expiry of the license, apply for permission to transfer his license to another person.

(2) Such application shall be made to the licensing authority who shall, if he approves of the transfer, enter upon the license, under his signature, an endorsement to the effect that the license has been transferred to the person named.

(3) A fee of one rupee shall be charged on each such application.

(4) The person to whom the license is so transferred shall enjoy the same powers, and be subject to the same obligations under the license as the original holder.

Procedure on death or disability of licensee.

42. (1) If a licensee dies or becomes insolvent or otherwise disabled, the person carrying on the business of such licensee shall not be liable to any penalty or confiscation under the Act or these rules for exercising the powers granted to the licensee by the license during such time as may reasonably be required to allow to him to make an application for a new license in his own name for the unexpired portion of an original license.

(2) A fee of one rupee shall be charged for a new license for the unexpired portion of an original license granted to any person applying for it under this rule.

Loss of license.

43. Where a license granted under these rules is lost or accidentally destroyed, a duplicate may be granted on payment of a fee of rupees three.

Payment of fees.

44. (1) All fees chargeable under these rules shall be remitted into a Mysore Government Treasury under the head of account "X. Scientific and Miscellaneous Departments (2) Mining and Explosives Receipts" and the Treasury chellan attached to the application in token of payment.

(2) If an application for the grant, renewal or amendment of a license is rejected, the fee paid shall be refunded.

Power to exempt from payment of fees.

45. The Government may by general or special order grant exemption from or reduction of any fee payable under these rules.

Production of license on demand.

46. (1) Every person holding or acting under a license granted under the rules shall produce it or an authenticated copy of it, at the place to which the license applies, when called upon to do so by any Inspector.

(2) Copies of any license may, for the purposes of this rule, be authenticated free of charge by the authority which granted the license.

Procedure on reports of infringements.

47. The District Magistrate shall inform the Chief Inspector of the action taken by him on any report of infringement of the Act or of these rules or of any condition contained in a license which the Chief Inspector may make to him.

Executive control over authorities.

48. Every authority other than the Government acting under this chapter shall be subject to the direction and control of the Government :

Provided that nothing in this rule shall be deemed to affect the powers of executive control of the Chief Inspector over the officers subordinate to him.

SCHEDULE I.

Specification for a partition.

[Vide *Rule 3 (h)*.]

1. A partition shall be constructed either of—

(i) standard hollow cement blocks laid in cement mortar or lime mortar not less than 12 inches thick and plastered on both sides with not less than ½ inch of cement mortar: or

(ii) of good quality bricks not less than 13½ inches thick laid in cement mortar or lime mortar and plastered on both sides with not less than ½ inch cement mortar; or

(iii) of reinforced cement concrete of 1 : 2 : 4 proportion having a thickness not less than 6 inches and plastered on both sides with not less than ½ inch cement mortar.

2. Partitions shall be continuous from floor to ceiling and securely laid so as to ensure a firm bond with the walls, floor and ceiling.

SCHEDULE II.

Specification for a Transport Box.

[Vide *Rule 3(l) and Rule 9.*]

(A) SPECIFICATION OF WOOD-LINED GALVANIZED IRON BOXES FOR THE CONVEYANCE OF CINEMATOGRAPH FILMS INFLAMMABLE (NITROCELLULOSE BASE).

1. The boxes must be rectangular, metal cases measuring not more than 30 inches by 16½ inches by 16 inches inside.

2. They must be made of galvanized iron of not less thickness than 0·022 of an inch (No. 25 B. G.) for the smaller cases to hold one or two prescribed containers and not less than 0·028 of an inch (No. 23 B. G.) for the larger sizes. All the concerns of the sides and bottom to be strengthened by folded seams. The top of the body to have wired edges turned inwards.

The hinges must be turned down all round for a depth of 1¾ inches. It must be fit over the body of the case and have wired edges turned outwards. It must be attached to the body by two strong hinges firmly riveted to both body and lid and fastened by stout wire hasps fitting over iron staples riveted to the front of the case. Each hasp and staple must be locked either by a padlock or by a spring safety hook permanently attached to the staple by a short length of stout chain.

Cases for 1 or 2 prescribed containers need only have one hasp-and-staple fastenings other sizes must have two.

The case may be fitted with a hinged wire handle.

3. A thin metal label frame, open at the top, must be riveted to the case in such a position that the top edge of the lable frame is covered by the lid when closed.

4. All the boxes must be completely lined with 3-ply-wood, celotex or other approved material fastened by rivets to the lid and the body of the case.

5. The following words must be painted in a distinctive colour on the lid, *viz.*, "CINEMA FILMS" in 1 inch block letters and "KEEP IN A COOL PLACE" in letters of ⅜ inch depth. No other lettering to appear on the lid. The name and address of the owners may be painted on the sides or ends.

Note.—(i) Cinematograph Film Boxes fitted with the clip fastening instead of the hasp and staple may be accepted.

(ii) Cinematograph Film Boxes made of tern plated (lead coated iron or steel) or aluminium painted or japanned iron (in lieu or galvanised iron) may be accepted provided the iron is of not less thickness than that named in the above specification and the boxes are kept in good condition, the lettering being renewed whenever necessary; the other conditions named in the Specification must be adhered to.

(iii) Cinematograph Film Boxes imported from the United States complying with—

(*a*) The Bureau of explosives Permit No. 39;

(*b*) Interstate Commerce Commission Specification No. 32-A;

(c) Interstate Commerce Commission Specification No. 32-B (on condition that the lining is permanently fixed); and marked respectively as follows, may be accepted in this country provided they are in good condition and securely fastened :—

(i)	(ii)	(iii)
Approved Package I. C. C. Paragraph 36 (c) B. E. Permit No. 39.	I. C. C. 32-A	I. C. C. 32-B

(iv) Standard boxes for the conveyance of Cinematograph Films may be accepted when fitted with—

(a) Messrs. Fromant & Sons Patent Lock, consisting of a screw bolt which passes through the lid and front of the box, and

(b) The "Philba" Box Fastener which consists of a locking bar affixed to the top of the lid of the box engaging with grooves on studs which are fitted at each front corner of the box projecting through holes in the lid.

(B) ALTERNATIVE SPECIFICATION OF WOOD-LINED GALVANIZED IRON BOXES FOR THE CONVEYANCE OF CINEMATOGRAPH INFLAMMABLE (NITROCELLULOSE BASE).

1. The boxes must be cylindrical in shape, measuring not more than 13½ inches high by 11¾ inches external diameter wood-lined throughout.

2. They must be made of galvanized iron of not less thickness than 0·025 of an inch (No. 24 B. G.) for the smaller cases to hold one or two prescribed containers and not less than 0·031 of an inch (No. 22 B. G.) for the larger size. The bottoms must be strengthened by folding seams. The top of the body must have a wired edge turned outwards.

The lid must be turned up alround to a depth of 1 inch and must have wired edge turned outwards. When placed in position it must fit closely alround the body of the case. It must be kept in position in the body by a strong iron tongue, firmly riveted to the lid, passing through a slot just below the wired edge of the body, and must be fastened on the opposite side by a stout metal hasp hinged to the body and fitting over an iron staple on the lid. The hasp and staple must be secured by a padlock and spring safety hook permanently attached to the lid by a short length of stout chain. A hinged wire handle for lifting must be attached to the centre of the lid.

3. A thin metal label frame open at one end, must be riveted to the lid in such position that the open end of the label frame is covered by the hasp when closed.

4. All the boxes must be completely lined with wood of at least ¼ inch thickness fastened by rivets to the lid and body of the case.

5. The following words must be painted in a distinctive colour on the lid, *viz.*, "CINEMA FILMS" in 1 inch block letters, and "KEEP IN COOL PLACE" in letters of ⅜ inch depth. No other lettering to appear on the lid. The name and address of the owners may be painted on the body of the case.

SCHEDULE III.

Licenses.

Vide [*Rule 32 (1)*.]

Article number	Forms of licence (*See* Schedule IV)	Purpose for which granted	Authority empowered to grant licence	Fee
1	C	To store film in quantity not exceeding 200 pounds at one time.	The District Magistrate.	For Article 1, 2, 3—When the quantity to be stored does not exceed 100 pounds—Rs. 20.
2	D	To store film in quantity exceeding 200 pounds but not exceeding 1,000 pounds at any one time.	The Chief Inspector.	When the quantity to be stored exceeds 100 pounds but does not exceed 1,000 pounds—Rs. 20 for the first 100 lbs. *plus* Rs. 10 for every additional 100 lbs. or part thereof.
3	E	The store film in quantity exceeding 1,000 pounds at any one time.	The Chief Inspector.	When the quantity to be stored exceeds 1,000 lbs.—Rs. 100 for the first 1,000 lbs. *plus* Rs. 5 for every additional 100 lbs. or part thereof subject to a maximum of Rs. 350.
4	F	To store from film in cases not provided for in Articles 1, 2 and 3.	The Chief Inspector.	Such fee as the Licensing Authority may prescribe.

SCHEDULE IV.

FORMS.

FORM B.

[Vide *Rule 31 (2)*.]

Application for the grant/renewal of a licence to store film.

1. Applicant's Name ... Do Calling ... Do Address ...	
2. Situation of building in which film is to be stored :— District ... Town or village ... Locality ... No. ...	
3. Quantity of film proposed to be stored...	
4. Form in which licence is required ...	
5. Quantity of film already stored, if any, on the premises.	
6. Do the premises fulfil all the conditions endorsed on the forms?	
7. In what part of the building will the film be kept? How are the premises constructed? ... Are the premises used for other purposes and if so, for what purposes?	
8. Remarks	

Signature of applicant .....

Postal address of applicant .....

Date of application .....

In cases where the application is made on behalf of a company, the name and address of the company and the name of the manager or agents should be given. This application must be accompanied by a plan, in triplicate, drawn to scale.

The plan should clearly indicate—

(*a*) the premises to be licensed, *viz.*, film storage room, examination room, or scrap film storage room. The areas shall be distinctly coloured or otherwise defined;

(*b*) the manner in which the conditions relating to the construction of the premises, prescribed by these Rules, have been complied with;

(*c*) the location and type of fire fighting appliances; and

(*d*) the surroundings.

FORM C.

(*Article 1 of Schedule III.*)

Licence to store films in quantity not exceeding 200 pounds.

No. ..... Fee Rs. .....

Licence is hereby granted to ..... valid only for the storage of ..... pounds of films at any one time in the premises described below subject to the provisions of the Mysore Petroleum Act, VI of 1942 and the Cinematograph Film Rules, 1948, and to the further conditions on the back of this licence.

This licence shall remain in force till the 31st day of December 19 .

The.....19 . *District Magistrate.*

Description of the licensed premises.

The licensed premises shown on Plan No. ....., dated .....attached hereto are situated at..... and consist of.....

Date of renewal	Date of expiry	Signature of licensing authority

This licence is liable to be cancelled if the licensed premises when inspected are not found conforming to the description and conditions attached hereto and contravention of any of the rules and the conditions under which this licence is granted is also punishable with fine which may extend to five hundred rupees for a first offence and which may extend to two thousand rupees for any subsequent offence.

CONDITIONS OF LICENSE.

1. Film shall be stored—

(i) in a storage shed constructed of suitable uninflammable materials the doors and ventilators may be of wood, and shall open outwards, or

(ii) in a tent, placed on private ground and separated by a distance of not less than 25 feet from any dwelling house, other building, highway, street, or public place.

2. The storage shed shall not form part of, or be attached to, any building in which any person resides or works or where persons assemble for any purpose unless it is separated therefrom by a substantial floor or partition.

3. The storage shed, if in any building, shall not be situated under any staircase or under any other means of exit likely to be required to be used for escape in case of fire.

4. The storage shed shall be adequately ventilated near the ground level and also near or in the roof. All ventilators shall be fitted with metal grids or similar suitable protection on the outside face of the wall and a layer of No. 16 mesh brass or other non-corroding metal wire gauze on the inside face of the wall.

5. Film shall be kept in a securely closed fire-resisting receptacle.

6. The storage shed or tent shall not be used for any other purpose.

7. (i) All operations connected with examination, repairing, cleaning, waxing and rewinding of film shall only be carried out in the examination roof which shall not be used for any other purpose and shall be separated from the storage shed by a partition.

(ii) The examination room shall be constructed of fire-resisting materials only and well ventilated to the outside air.

(iii) Not more than two rolls of film only shall be opened for examination at any one time per examiner and not more than 10 rolls in all shall be under examination or repairs at any one time.

8. All film waste and scrap in the examination room shall be placed immediately in a strong metal receptacle fitted with a tight-hinged lid and marked "Film Waste" and kept under water until disposed of. The contents of the drums shall be disposed of at frequent intervals by burning under adequate precautions or in such other manner as may be prescribed by the licensing authority.

9. No alterations shall be carried out in the storage shed or examination room without the previous sanction in writing of the licensing authority. Such alterations so sanctioned shall be shown on an amended plan to be attached to this license.

10. No two sheds for the storage of films shall adjoin each other or be in the same building.

11. Adequate precautions shall at all times be taken for the prevention of accidents by fire or explosion and no smoking, fire or light or articles capable of causing fire to film shall be permitted at any time within the licensed premises.

12. The furniture and other articles shall be so arranged as to afford free egress to persons in the room in the event of fire.

13. There shall be kept posted up in large characters in the room.—

(i) full instructions as to the action to be taken in case of fire, and

(ii) full directions as to the means of escape from the room in case of fire.

14. Free access to the licensed premises shall be given at all reasonable times to an Inspector and every facility shall be afforded to such Inspector for ascertaining that the rules and conditions are duly observed.

15. Any accident. fire or explosion occurring within the licensed premises which is attended with loss of human life or serious injury to persons or property shall be reported immediately to the nearest Magistrate or to the Officer-in-charge of nearest Police Station and by telegram or telephone where such means of communication are available.

16. If the licensing authority calls upon the holder of a license by a notice in writing, to execute any repairs to the licensed premises which are in the opinion of such authority necessary for the safety of the premises, the holder of a license shall execute the repairs within such period, not being less than one week from the date of receipt of notice as may be fixed by the notice.

FORM D.

(Article 2 of Schedule III).

Licence to store film in quantity exceeding 200 pounds but not exceeding 1,000 pounds.

No..... Fee Rs.....

Licence is hereby granted to..... valid only for the storage of .....pounds of film at any one time in the premises described below subject to the provisions of the Mysore Petroleum Act, VI of 1942, and the Cinematograph Film Rules, 1948 and, to the further conditions on the back of this licence.

This licence shall remain in force till the 31st day of Decembe 19 .

Chief Inspector of Mines and Explosives in Mysore.

The.....19 .

Description of the licensed premises :—

The licensed premises shown on Plan No.....dated attached hereto are situated at.....and consist of

Date of renewal	Date of expiry	Signature of Licensing authority

This licence is liable to be cancelled if the licensed premises when inspected are not found conforming to the description and conditions attached hereto and contravention of any of the rules and the conditions under which this licence is granted is also punishable with fine which may extend to five hundred rupees for a first offence and which may extend to two thousand rupees for any subsequent offence.

CONDITIONS OF LICENCE.

1. Film shall be stored in a storage shed which may be situated either in the open or on the terrace of a building, the lower storeys of which may be used for dwelling or other purposes.

2. The storage shed shall be constructed of suitable fire-resisting materials and shall comply with the following requirements :—

(i) Adequate ventilation shall be provided at the ground level and also near or in the roof. All ventilators shall be fitted with metal grids and similar suitable protection on the outside face of the wall and a layer of No. 16 mesh brass or other non-corroding metal wire gauze on the inside face of the wall.

(ii) The doors of the storage shed shall be of 3/10 inch thick sheet iron, fitting close into a steel door frame properly fixed by suitable holdfasts into the door opening. The door shall open outwards and be so constructed and installed that when closed it shall make closed joints with the frame and the sill.

3. (i) All operations connected with examination, repairing, cleaning waxing and rewinding of films shall only be carried out in the examination room which shall not be used for any other purpose and shall be separated from the storage shed by a partition.

(ii) The examination room shall be constructed of suitable fire-resisting materials and shall be well ventilated to the outside air.

(iii) Not more than two rolls of film only shall be opened for examination at any one time per examiner and not more than 10 rolls in all shall be under examination or repair at any one time.

4. All film waste and scrap in the examination room shall be placed immediately in a strong metal receptacle fitted with a tight-hinged lid and marked "Film Waste" and kept under water until disposed of. The contents of the drums shall be disposed of at frequent intervals by burning under adequate precautions or in such other manner as may be prescribed by the licensing authority.

5. A distance of not less than 25 feet shall be kept between—

(i) one storage shed and another, and

(ii) a storage shed or the examination room and any dwelling house, or other buildings where persons assemble, public thoroughfare, public place, or other licensed premises:

Provided that where the storage shed and the examination room are situated on the terrace of a building, the distance referred to above shall be maintained in the same plane between them and other structure in the vicinity.

6. The distance specified in condition 5 may be reduced by the licensing authority in cases where special precautions are taken or where there are special circumstances that in his opinion, warrant the reduction.

7. Film shall be kept in the storage shed.

(*a*) in cabinets complying with the following requirements:—

(i) the cabinets shall be constructed of iron or steel of 16 B. G. thickness and of a size capable of holding not more than 375 pounds of film;

(ii) the cabinets shall be provided with racks of an uninflammable material and shall be so arranged that the prescribed containers are kept on edges only;

(iii) the doors shall close tightly against the jambs and shall be so made as to remain firmly closed and latched; and

(iv) each cabinet shall be provided with a vent pipe the outer end of which shall be taken above the roof and shielded from the weather, and provided with a screen of not larger than ¼ inch mesh. The vent pipe shall have a minimum sectional area of 14 square inches; or

(*b*) on racks made of metal or other incombustible material and arranged for the keeping of the prescribed containers on edges: PROVIDED the storage shed is situated otherwise than on terrace of a building and is substantially constructed to the satisfaction of the licensing authority.

8. The storage shed shall not be used for the storage of any other articles or for any other purpose.

9. All fittings in the storage shed or examination room shall be of non-inflammable materials.

10. No alterations shall be carried out in the licensed premises without previous sanction, in writing, of the licensing authority. Such alterations so sanctioned shall be shown on an amended plan to be attached to this licence.

11. Adequate precautions shall at all times be taken for the prevention of accidents by fire or explosion and no smoking, fire or light or article capable of causing fire to film shall be permitted at any time within the licensed premises.

12. The furniture and other articles shall be so arranged as to afford free egress to persons in the room in the event of fire.

13. There shall be kept posted up in large characters in the room—

(i) full instructions as to the action to be taken in case of fire, and

(ii) full directions as to the means of escape from the room in case of fire.

14. Free access to the licensed premises shall be given at all reasonable times to any Inspector and every facility shall be afforded to such Inspector for ascertaining that the rules and conditions are duly observed.

15. Any accident, fire or explosion occurring with the licensed premises which is attended with loss of human life or serious injury to persons or property shall be reported immediately.

(i) the nearest Magistrate or to the officer-in-charge of the nearest Police Station, and

(ii) the Chief Inspector and by telegram or telephone where such means of communication are available.

16. If the licensing authority calls upon the holder of a license by a notice in writing, to execute any repairs to the licensed premises which are in the opinion of such authority necessary for the safety of the premises the holder of a license shall execute the repairs within such period not being less than one month from the date of receipt of this notice as may be fixed by the notice.

FORM E.

(*Article 3 of Schedule III*).

License to store Film in quantity exceeding 1,000 pounds.

No. Fee Rs.

License is hereby granted to

valid only for the storage of.....

pounds film at any one time in the premises described below subject to the provisions of the Mysore Petroleum Act VI of 1942 and the Cinematograph Film Rules, 194 . and to the further conditions on the back of this license.

This license shall remain in force till 31st day of December 19 .

Chief Inspector of Mines and Explosives in Mysore.

The 19 .

DESCRIPTION OF THE LICENSED PREMISES

The licensed premises shown on Plan No.
dated attached here to or situated at
and consist of

Date of renewal	Date of expiry	Signature of Licensing authority

This license is liable to be cancelled if the licensed premises when inspected are not found conforming to the description and conditions attached hereto and contravention of any of the rules and the conditions under which this license is granted is also punishable with fine which may extend to five hundred rupees for a first offence and which may extend to two thousand rupees for any subsequent offence.

CONDITIONS OF LICENSE.

1. Film shall be stored in an approved vault—vaults complying with the specification laid down in the appendix to this schedule.

2. Not more than six thousand pounds of films shall be stored in any vault at any one time.

3. (i) All operations connected with examination, repairing, cleaning, waxing and rewinding of films shall only be carried out in the examination room which shall not be used for any other purpose.

(ii) The examination room shall be constructed of fire resisting materials only and shall be well ventilated to the outside air.

(iii) Not more than two rolls of films only shall be opened for examination at any one time per examiner and not more than ten rolls in all shall be under examination or repairs at any one time.

4. All film waste and scrap in the examination room shall be placed immediately in a strong metal receptacle fitted with a tight hinged lid and marked "FILM WASTE" and kept under water until disposed of. The contents of the drum shall be disposed of at frequent intervals by burning under adequate precautions or in such other manner as may be prescribed by the licensing authority.

5. A distance of not less then thirty feet shall be kept clear between one vault and another and a distance of not less than fifty feet between a vault or an examination room and any dwelling house,

other buildings where persons assemble, public thoroughfare, public place or other licensed premises.

6. The distances specified in condition 5 may be reduced by the licensing authority in cases where special precautions are taken or where there are special circumstances that in his opinion, warrant the reduction.

7. Film shall be kept in the vault on racks made of metal or other incumbstible material and arranged for the keeping of the prescribed containers on edges.

8. Wherever air conditioning, air cooling, and ventilating system employing ducts is installed, steps, shall be taken to ensure that a fire occurring in any one room or vault is cut off from any other room or vault by means of automatic fire proof shutters. Any system used for air-conditioning a vault shall be entirely independent with no duct whatever connecting any other room.

9. The vault shall not be used for the storage of any other article or for any other purpose.

10. All fittings in the vaults, storage shed, or examination room shall be of uninflammable material only.

11. If in the opinion of the licensing authority the situation of any vault, or examination room warrants the provision of an elaborate arrangement to extinguish fires, he shall call upon the licensee by a notice in writing to equip that vault or examination room with an approved system of automatic sprinklers. The spacing of sprinkler heads as well as the rate and duration of supply of water through each sprinkler head shall be such as may be approved by the licensing authority.

12. No alteration shall be carried out in the licensed premises with previous sanction in writing of the licensing authority. Such alterations so sanctioned shall be shown on an amended plan to be attached to this license.

13. Adequate precautions shall at all times be taken for the prevention of accidents by fire or explosion and no smoking, fire or light or articles capable of causing fire to film shall be permitted at any time within the licensed premises.

14. The furniture and other articles shall be so arranged as to afford free egress to persons in the room in the event of fire.

15. There shall be posted up in large characters in the room—

(i) full instructions as to the action to be taken in case of fire, and

(ii) full directions as to the means of escape from the room in case of fire.

16. Free access to the licensed premises shall be given at all reasonable times to any Inspector and every facility shall be afforded to such Inspector for ascertaining that the rules and the conditions are duly observed.

17. Any accident, fire or explosion occurring within the licensed premises which is attended with loss of human life or serious injury to persons or property shall be reported immediately to—

(i) the nearest Magistrate or to the Officer-in-charge of the nearest Police Station, and

(ii) the Chief Inspector and by telegram or telephone where such means of communication are available.

18. If the licensing authority calls upon the holder of a license by a notice in writing, to execute any repairs to the licensed premises which are in the opinion of such authority necessary for the safety of the premises, the holder of license shall execute the repairs within such period, not being less than one month from the date of receipt of the notice, as may be fixed by the notice.

APPENDIX.

Specification for Vaults.

(i) Dimensions—A vault shall not be less than 1,000 c. ft. in inside dimensions.

(ii) Walls—The walls shall be of a thickness of not less than 18 inches of brick or of 8 inches of reinforced cement concrete, and shall be plastered on both sides with cement plaster of a thickness of at least ½ inch.

(iii) Floor—The floor shall be paved or cemented or tiled and raised at least one foot above the ground level.

(iv) Roof—The roof shall be of a thickness of not less than six inches of reinforced cement concerete and designed according to sound engineering practice.

(v) Exits—Each vault shall have at least one door which shall be provided with two fire doors the inner door opening inwards and outer door outwards. The former shall be of the automatic self closing type either hinged or sliding and the latter shall be of 3—16 inch thick sheet iron fitting close into a steel door frame properly fixed by suitable hold fasts into the door opening. The door shall be so constructed and installed that when closed it shall make closed joints with the frame and the sill. Door jambs of the vault shall be reinforced by fixing welded sheet iron channels.

(vi) Ventilation—(a) The vault shall be adequately ventilated near the ground level and also near or in the roof. The ventilators shall have a minimum effective sectional area of 14 square feet and shall be so arranged as to prevent film in the vaults from being ignited by the rays of the sun entering through them. A weather shade of incombustible material shall be provided over each ventilator.

(*b*) All ventilators shall be fitted with metal grids of similar suitable protection on the outside face of the wall and a layer of No. 16 meash brass or other non-coroding metal wire gauze fitted in an angle iron frame on the inside face of the wall.

(*c*) Ventilators shall not be obstructed by racks provided in the vault for keeping film.

No. S. D. 3668—C. 82-48-10, dated Bangalore, 18th November 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the exemption in respect of Clauses 4 and 17 of the Articles of Food Acquisition (Harvest) Order, 1948 allowed for ragi and jola in Government Notification No. S. D. 3180—C. 82-48-4, dated 5th November 1948, be withdrawn with immediate effect in respect of the undermentioned* taluks and further direct in pursuance of Clause (1) (ii) of the Articles of Food Acquisition (Harvest) Order, 1948 that in these taluks all the provisions of the aforesaid Order shall apply in respect of all the foodgrains specified in schedule I of the said Order:

*Hassan, Hole-Narsipur, Belur and Arkalgud Taluks in Hassan District.

Hunsur, Heggaddevankote and Periyapatna Taluks in Mysore District.

Kadur, Tarikere and Chickmagalur Taluks in Chickmagalur District.

Davangere and Jagalur Taluks in Chitaldrug District.

Madhugiri, Sira, Pavagada and Kortagere Taluks in Tumkur District.

Government further direct that with reference to Rule 119 of the said Rules notice of this Order be given by publication in the official Gazette.

No. S.D. 3706—C. 82-48-13, dated Bangalore, 19th November 1948.

In supersession of Government Notifications noted in the margin, the Government of His Highness the Maharaja are pleased to direct that the following* shall be prices to be paid as per Clause 16 of the Articles of Food

No. S.D. 1776—C. 54-48-3, dated 4th September 1948.
No. S.D. 2373—C. 54-48-8, dated 21st November 1948.
No. S.D. 3063—C. 54-48-12, dated 1st November 1948.

Acquisition (Harvest) Order, 1948, issued under Notification No. S. D. 3122—C. 82-48-2, dated 4th November 1948:—

		Per palla of 100 seers.		
		Rs.	a.	p.
*Paddy I quality	...	22	0	0
Paddy II quality	...	20	0	0
Ragi ...	...	20	0	0
Jola ...	...	20	0	0

Note.—(1) The purchase prices given above are payable for the delivery of the grain at the depots to be notified in the "Chavadi" of the village.

(2) For the grains delivered at the village where they are produced, if there should be no authorised depot at such village and if the grain is accepted as a special case, the price paid will be eight annas less per palla.

(3) If the grain delivered contains chaff and impurities the party delivering it will be required to clean it at his cost. Payment will be made only for the cleaned grain. If the party does not clean it, this will be got done at his cost.

The following are the kinds of paddy grouped under the two varieties:—

I Quality.

1 Coimbatore Sanna
2 Nagapur Sanna
3 Rajabhoga
4 Alur Sanna
5 Brahmasala
6 Bangarakaddi
7 Ratnachudi
8 Kadur Sanna
9 Bangara Theegai
10 Sakalathi Sanna
11 Kempu Sanna
12 Gunsale
13 Salem Sanna

II Quality.

1 Mysore Kaddi
2 Maralukanthi
3 Devamallige
4 Halubbalu
5 Ramasagaga
6 Hassan Dappa
7 Dabbanasala
8 Farm Kaddi
9 Kari Bhatha
10 Bangara Bili Byra Bhatha
11 Ballari Bhatha
12 Chintamani Sanna
13 Kembuthi (of Mysore and Hassan yielding white rice).
14 Salubhatta
15 Sampigedala Bhatha
16 Nallur Sanna
17 Garike Sanna
18 Kyasari
19 Chippiga
20 Hasade
(18–20: of Hassan and other Malnad Districts yielding white rice.)
21 Garuda Kembuthi (grown in Mandya District).
22 Puttabhatha
23 Hunase Huvu Bhatha
24 Karu
25 Malnad Gidda

26 Bagade
27 Chippiga
28 Kembuthi
29 Kyasari
30 Halmaridi
31 Hasadi
32 Dodda Byra Bhatta
33 Karusambla
34 Kodothi Sanna
35 Jungu
36 Mullubhatha
37 Togarsi

No. S. D. 3790—C. 82-48-16, dated Bangalore, the 22nd November 1948.

ERRATUM.

In clause 18 of the "Articles of Food Acquisition Order, 1948" published under Notification No. S. D. 3122—C. 82-48-2, dated 4th November 1948, *for* the words "under Clause 4 or under Clauses 7 or 8," *read* "under Clause 5 or under Clauses 8 or 9."

Clause 18 as corrected will read as follows :—

"No order passed by the Amildar or other Officer of the Revenue or Food Department under Clause 5 or under Clauses 8 or 9 shall be called in question in any Criminal or Civil Court."

SAFI DARASHAH,
Food and Civil Supplies Secy.

ORDER.

No Fl. 4456—G. F. 20-48-7 dated Bangalore, the 15th November 1948.

In exercise of the powers conferred by Rule 94-A of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers)Act, 1947 (XX of 1947), the Government of His Highness the Maharaja are pleased to direct that nothing contained in the order issued in Notification No. Fl. 5950—G. F. 32-45-184 dated the 7th February 1946, shall apply to bonus shares issued by a company whether incorporated in the Mysore State or not.

Government are further pleased to direct with reference to Rule 119 of the said Defence of India Rules that notice of this order be given by publication in the official Gazette.

S. KANAKARATNARAJ, *Law Secy.*

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EXTRAORDINARY

BANGALORE, TUESDAY, NOVEMBER 30, 1948.

NOTIFICATION.

No. R.L. 1440—R.A. 30-48-2, dated Bangalore, 30th November 1948.

WHEREAS the President of the Constituent Assembly of India has been pleased to accept the resignation of *Rajamantra Chintamani Diwan Bahadur* Sir A. Ramaswami Mudaliar of his membership of the Constituent Assembly of India;

His Highness the Maharaja is pleased to nominate Sri K. Chengalaraya Reddy, B.A., B.L., Chief Minister, as a Member of the Constituent Assembly of India in the aforesaid vacancy.

By Order,

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. S. D. 3928—C. 82-48-18, Bangalore, dated 24th November 1948.

In exercise of the powers conferred by Rules 75-A 75-B and 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947) and of all other powers enabling them in this behalf, the Government of His Highness the Maharaja are pleased to direct that notwithstanding the provisions of the Articles of Food Acquisition (Harvest) Order, 1948, issued under Notification No. S. D. 3122—C. 82-48-2, dated the 4th November 1948, the power to make order under Clause 3 of the Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, issued under Notification No. S. D. 9938—C. 100-47-68, dated 1st June 1948, shall continue to be in force and that the other provisions of the said Hoarding and Profiteering (Foodgrains) Prevention Order, 1948, shall apply to any such order as if the Articles of Food Acquisition (Harvest) Order, 1948, was not in force.

They are also pleased to direct that this Order shall remain in force until the 15th day of December 1948.

They are further pleased to direct with reference to sub-rule (1) of rule 119 of the said Defence of India Rules that notice of this order shall be given by publication in the official Gazette and by the issue of a Press Note summarising and explaining these provisions.

No. S. D. 4016—Co 18-48-2, dated Bangalore, 25th November 1948.

In exercise of the powers conferred by sub-clause (2) of clause 39 of the Paper Control (Economy) Order, 1946, the Government of His Highness the Maharaja are pleased to direct that the provisions of clause 17 (*a*) of the said order shall be deemed not to have been applicable to any person who established printing presses prior to the first day of April 1946; provided the said person had made a declaration under section 4 of the Press and Registration of Books Act, 1867 (XXV of 1867), as applied to Mysore.

No. S. D. 4184—C. 82-48-23, dated Bangalore, the 29th November 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (XX of 1947) the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the exemption in respect of clauses 4 and 17 of the Articles of Food Acquisition (Harvest) Order, 1948, allowed for ragi and jola in Government Notification No. S. D. 3180—C. 82-48-4, dated 5th November 1948 be withdrawn with immediate effect in respect of the undermentioned Taluks and further direct in pursuance of clause 1 (ii) of the Articles of Food Acquisition (Harvest) Order 1948 that in these taluks all the provisions of the aforesaid Order shall apply in respect of all foodgrains specified in Schedule I of the said Order:—

Holalkere, Chitaldrug and Harihar Taluks in Chitaldrug District.

Government further direct that with reference to Rule 119 of the said Rules notice of this order be given by publication in the official Gazette.

No. S. D. 4236—C. 1-48-30, dated Bangalore, 30th November 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947, (XX of 1947),

the Government of His Highness the Maharaja are pleased to make the following order:—

1. No consignment of Bengal gram or gramdhal or gramflour consigned to any place inside the State by railway, shall be delivered to the consignee or any other person, unless the Railway Receipts are countersigned by the Deputy Commissioner of the District in which the Railway Station is situated or by an officer authorised by him in that behalf.

2. No consignee or other person shall dispose of the consignment referred to in clause 1 or consignments received by road from other places either in or outside the State without obtaining the consent in writing of the Deputy Commissioner of the District in which the consignment is received or of an officer authorised by the Deputy Commissioner in this behalf.

3. If any person contravenes the provisions o clause 1 or 2, then without prejudice to any other punishment to which he may be liable, any Court trying the offence shall, direct that any stock of Bengalgram, gram dhal, gram flour together with the packages and coverings thereof in respect of which the Court is satisfied that the offence has been committed, shall be forfeited to the Government of His Highness the Maharaja of Mysore, unless for reasons to be recorded in writing, the Court is of opinion that such direction should not be made in respect of the whole or any part of the stock.

4. Government further direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the Order shall be given by the publication of the said Order in the official Gazette and by the issue of a Press Note summarising and explaining its provisions.

SAFI DARASHAH,

Food and Civil Supplies Secy.

Printed by the Director of Stationery and Printing at the Govt., Press, Bangalore.

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, TUESDAY, NOVEMBER 30, 1948.

NOTIFICATION.

No. R.L. 1440—R.A. 30-48-2, dated Bangalore, 30th November 1948.

WHEREAS the President of the Constituent Assembly of India has been pleased to accept the resignation of *Rajamantra Chintamani Diwan Bahadur* Sir A. Ramaswami Mudaliar of his membership of the Constituent Assembly of India;

His Highness the Maharaja is pleased to nominate Sri K. Chengalaraya Reddy, B.A., B.L., Chief Minister, as a Member of the Constituent Assembly of India in the aforesaid vacancy.

By Order,

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

Printed by the Director of Stationery and Printing at the Govt. Press, Bangalore.

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PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. T. 2111—R. T. 42-48-2, dated Bangalore, the 8th December 1948.

The following draft amendments to the Mysore Motor Vehicles and Road Traffic Rules, 1945, which the Government of His Highness the Maharaja of Mysore proposed to make in exercise of the powers conferred by Section 53 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (No. XXVII of 1944), is published for the information of all persons likely to be affected thereby as required by Section 125 of the said Act, and any suggestion or objection in respect of the said draft received within fifteen days from the date of publication of this Notification in the Official Gazette will be considered by Government.

DRAFT AMENDMENT.

1. After Rule 261 of the said Rules, the following Rule shall be inserted, namely:—

"261-A. *Time and fare table.*—In every stage carriage a time and fare table in Kannada showing the timings of arrival and departure at the places through which the stage carriage is scheduled to pass, along with the fares between such places, as fixed by Government from time to time shall be displayed in a conspicuous place inside the vehicle. It shall be clearly visible to any person inside the vehicle and shall be illuminated by a white light from half an hour after sunset to half an hour before sunrise."

2. In Rule, 262, for the words "Proper boards" the words "Proper destination boards and time and fare tables" shall be substituted.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. S. D. 4516—C. 82-48-43, dated Bangalore, 7—8th December 1948.

In exercise of the powers conferred by Rules 75-A, 75-B and Rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers), Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that the following be substituted for Clause 19 of the Articles of Food Acquisition (Harvest) Order, 1948, issued under Notification No. S. D. 3122—C. 82-48-2, dated the 4th November 1948, and to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of the Order shall be given by the publication of the said Order in the official Gazette and by the issue of a Press Note summarising and explaining its provisions:

"PUNISHMENT AND PENALTIES.

19. In respect of any infringement or disobedience of any of the clauses of this Order or any attempt or abetment thereof, the Court shall—

(i) sentence any person convicted of such contravention to imprisonment for a term which may extend to three years and may in addition impose a sentence of fine, unless for reasons to be recorded in writing it is of opinion that in the circumstances of the case a sentence of fine is adequate and that imprisonment is not called for, and

(ii) direct that any property in respect of which the Order has been contravened shall be forfeited to Government, unless for reasons to be recorded in writing it is of opinion that the direction should not be made in respect of the whole, or, as the case may be, a part of the property."

No. S. D. 4576—C. 82-48-48 Bangalore, dated 9—10th December 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the exemption in respect of clauses 4 and 17 of the Articles of Food Acquisition (Harvest) Order, 1948, allowed for Ragi and Jola in Government Notification No. S. D. 3180—C. 82-48-4 dated 5th November 1948 be withdrawn with immediate effect in respect of Hiriyur Taluk in Chitaldrug District and further direct in pursuance of clause I (ii) of Articles of Food Acquisition (Harvest) Order, 1948, that in the above taluk all the provisions of the aforesaid Order shall apply in respect of all foodgrains specified in Schedule I of the said order.

Government further direct that with reference to Rule 119 of the said Rules notice of this Order be given by publication in the official Gazette.

No. SD. 4682—C. 82-48-54, dated Bangalore, 14th December 1948.

In exercise of the powers conferred by Sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the exemption in respect of clauses 4 and 17 of the Articles of Food Acquisition (Harvest) Order, 1948, allowed for ragi and jola in Government Notification No. SD. 3180—C. 82-48-4, dated 5th November 1948, be withdrawn with immediate effect in respect of Bangalore North and South Taluks in Bangalore District and further direct in pursuance of clause I (ii) of the Articles of Food Acquisition (Harvest) Order, 1948, that in the above taluks all the provisions of the aforesaid order shall apply in respect of all the foodgrains specified in Schedule I of the said order.

Government further direct that with reference to Rule 119 of the said Rules notice of this order be given by publication in the official Gazette.

SAFI DARASHAH,
Secy., Food and Civil Supplies.

No. Fl. 6584—S.T. 1-48, dated Bangalore, 11th December 1948.

In exercise of the powers conferred by Section 6 of the Mysore Sales-Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to exempt from sales-tax payable under the said Act,—

(1) the sale of canteen stores by the Canteen Stores Department of the Government of India to the Canteen Contractors, and

(2) the sale of canteen stores by the Canteen Contractors of the Government of India to the Armed Forces, provided the canteen stores are those obtained from the Canteen Stores Department of the Government of India and the sale price does not exceed the sale price fixed by the Government of India.

No. Fl. 6643—S.T. 1-48-32, dated Bangalore, 14th December 1948.

In exercise of the powers conferred by section 6 (1) of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are hereby pleased to exempt from the levy of sales tax all local sales of leaf tobacco, cured as well as uncured.

The turnover in respect of these sales should be included in determining the nett turnover for exemption under section 3 (3) of the said Act.

No. Fl. 6662—S. T. 1-48, dated Bangalore, the 14th December 1948.

In exercise of the powers conferred by sub-section (4) of section 3 of the Mysore Sales Tax Act, 1948 (XLVI of 1948), the Government of His Highness the Maharaja are pleased to make the following amendments to the rules for the computation of turnover, contained in the schedule to the said Act, namely :—

AMENDMENTS.

1. For sub-rule (2) of rule 1 of the Rules for the computation of turnover, the following sub-rule shall be substituted :—

"(2) (i) In the case of the undermentioned goods, the gross turnover of a dealer shall be the amount for which the goods are bought by him.

(*a*) untanned hides and skins bought by a licensed tanner in Mysore, and

(*b*) untanned hides and skins exported outside Mysore by a licensed dealer in hides or skins.

(ii) In the case of the undermentioned goods, the gross turnover of a dealer shall be the amount for which the goods are bought by him for export outside Mysore, namely :—

(*a*) groundnut,

(*b*) areca,

(*c*) copra and cocoanut,

(*d*) raw coffee,

(*e*) cardamom, and

(*f*) unmanufactured tobacco."

2. Rule 3 of the Schedule shall be omitted.

No. Fl. 6666—I. T. 27-48, dated Bangalore, 14th December 1948.

In exercise of the powers conferred by sub-section (2) of Section 5 of the Mysore Income-tax Act, 1923 (V of 1923), the Government of His Highness the Maharaja are pleased to direct that the officer mentioned in column 1 of the annexed statement shall with effect from the date specified in column 4 exercise the powers of a Deputy Commissioner of Income-tax in respect of the areas specified in column 2 and shall have the pecuniary jurisdiction specified in column 3 of the said statement.

STATEMENT.

Officer	Territorial jurisdiction	Pecuniary jurisdiction	From what date
1	2	3	4
Deputy Commissioner of Income-tax, Shimoga Division, (Head-quarters, Shimoga).	Districts of Shimoga, Chitaldrug and Chikmagalur.	All assessments of incomes above of Rs. 15,000 and all appeals against assessments of Income-tax Officers subordinate to him, *viz.* — Income-tax Officer, Shimoga District. Do Chitaldrug District. Do Chikmagalur District. Do Davangere City and Taluk.	1st November 1948

S. KANAKARATNARAJ, *Law Secy.*

No. Fl. 6664—I. T. 27-48-2, dated Bangalore, the 14th December 1948.

In exercise of the powers conferred by Section 60 of the Mysore Income-tax Act (V of 1923), the Government of His Highness the Maharaja of Mysore are pleased to direct as follows:—

Notwithstanding anything contained in Sections 3 and 55 of the Mysore Income-tax Act as amended by the Mysore Income-tax (Amendment) Act, 1948, where more than half of the total income of any individual or Hindu undivided family consists of income from salaries, interest on securities or dividends, income-tax and super-tax for the year beginning on 1st day of July 1948 shall be charged in respect of such total incomes at the rates of Income-tax and Super-tax which were imposed for the year beginning on 1st day of July 1947, in respect of individuals or Hindu undivided families.

No. Fl. 6669—S. T. 27-48, dated Bangalore, 14th December 1948.

In pursuance of the provisions of clause (*d*) of rule 3 of the Mysore Sales Tax Rules, 1948, the Government of His Highness the Maharaja are pleased to appoint the Deputy Commissioner of Income-tax, Shimoga Division, to exercise the powers of a Deputy Commissioner of Sales Tax in respect of the areas in which he exercises the powers of a Deputy Commissioner of Income-tax.

S. KANAKARATNARAJ,
Legal Member. and Law Secy.

No. 2321—L. C. dated Bangalore, 8th December 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Aided Institutions (Prohibition of Transfers of Property) Bill is published for general information.

By Order,

T. KEMPAIYA,
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE OF THE MYSORE AIDED INSTITUTIONS (PROHIBITION OF TRANSFERS OF PROPERTY) BILL.

We, the Members of the Select Committee, to which the Mysore Aided Institutions (Prohibition of Transfers of Property) Bill has been referred, have considered the Bill at a meeting held on the 31st August 1948 and have the honour to submit the following report :—

(1) *Clause* 2 (3).—After 'manager' substitute 'includes' for 'means'.

(2) *Clause* 2 (4).—After 'gift' substitute the full stop by a comma and add 'provided however, that it shall not include any lease for a period not exceeding five years'.

(3) *Clause* 3 (1) (*a*).—After the word 'institution' delete the words 'by the manager thereof'.

(4) *Clause* 3 (1) (*b*).—Amended as follows :—

"any land or building has been transferred by the Government or by any local authority for use for the purposes of any institution."

"Then, notwithstanding ....permission of Government." (to be read as a separate para.

(5) *Clause* 3 (2).—(i) and (ii) be substituted by the following :—

(i) the transfer is made in furtherance of the purposes of the institution or of similar purposes approved by the Government and the assets resulting from the transfer are to be wholly utilized in furtherance of the said purposes ;

(ii) the transfer is made only in part in furtherance of the purposes aforesaid, provided repayment is made to the Government or the local authority concerned as the case may be, of such portion as the Government may deem proper in the circumstances of the case, of the grant referred to in sub-section (1), clause (a), or of the current market value of the land or building referred to in sub-section (1), clause (*b*), or of both, as the case may be ;

(iii) the transfer is made for any other valid reason, provided repayment is made to the Government or the local authority concerned as the case may be, in full of the grant referred to in sub-section (1), clause (*a*), or of the current market value of the land or building referred to in sub-section (1), clause (*b*), or of both, as the case may be.

(6) *Explanation.*—When granting permission under clause (i) or (ii) for the transfer of any land or building, the Government may impose such conditions as they deem fit to ensure that the assets resulting from the transfer are utilized wholly or in part, as the case may be, in furtherance of the purposes referred to in those clauses ; but a contravention of any such condition imposed on the transferor shall not invalidate the transfer.

(7) *Clause* 4. (a)—After the words 'Deputy Commissioner' omit the words 'or the Collector'.

(8) (*b*) After the words 'Deputy Commissioner' omit the words 'or the Collector'.

(9) *Clause* 5—After the word 'under' and before the word 'section 4' add 'sub-section 2 of section 3 or.'

(10) *Clause* 6. (1).—After the words 'Deputy Commissioner' omit the words 'or the Collector.'

(11) Between the words 'Government' and 'free' add the words 'or in the local authority concerned as the case may be.'

(12) (2) After the words 'Deputy Commissioner' omit the words 'or the Collector.' (occurring in two places).

(13) (3) After the words 'Deputy Commissioner' omit the words 'or the Collector'.

(14) For the words 'six months' substitute 'three months' and for the words 'five thousand rupees' substitute the words 'five hundred rupees.'

(15) (4) Read as follows :—

'Any land or building which vests in the Government or in the local authority concerned under sub-section (1) shall be used by the Government or the local authority, so far as may be, only for purposes similar to those for which it was being used before such vesting.'.

(16) *Clause* 7.—After the words 'section 4 may' and before the word 'be' add the words 'without prejudice to any mode of recovery provided in any other law for the time being in force.'

(17) After Clause 7 add the following and number it as Clause 8 :—

(18) 'The Government may, by notification in the Official Gazette, make rules not inconsistent with this Act for carrying into effect the purposes thereof'.

In our judgment the Bill has not been so altered as to require republication. The publication directed by the Rules has taken place on the 11th day of June 1948.

K. T. BHASHYAM.
D. S. MALLAPPA.
S. L. MANNAJI RAO.
H. M. CHANNABASAPPA.
E. STUDER.
M. A. GOPALSWAMY IYENGAR.
M. J. PADMANABHAN.
O. VEERABASAPPA.
M. R. LAKSHAMMA.
S. KANAKARATNARAJ.

Sri Kadidal Manjappa, B.A., LL.B., was not present during the deliberations.

No. 2322—L.C. dated Bangalore, 8th December 1948.

Under standing order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Minimum Wages Bill is published for general information.

By Order,
T. KEMPAIYA,
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE MINIMUM WAGES BILL.

WE, the members of the Select Committee to which the Mysore Minimum Wages Bill has been referred, have considered the Bill at a meeting held on 14th September 1948, and have the honour to submit the following report :—

1. *Clause* 3. In line 3 of the Proviso to Clause 3 (1)(b), *for* the words "one thousand", *substitute* the words "three hundred."

As amended the Proviso of Clause 3 (1)(b) reads as follows :

"Provided that the Government shall not be required to fix minimum rates of wages in respect of any scheduled employment in which there are in the whole State less than three hundred employees engaged in such employment".

2. *Clause* 6. In line 2 of Clause 6 (2), the following may be inserted between the words "sub-section (1)" and "or as the case may be":

"and such representations from the public as may be received after publication of the Committee's recommendations in the Official Gazette".

3. In line 5 of Clause 6 (2) the words "if the Government thinks fit" may be deleted.

4. Add the following as a Proviso to Clause 6 (2):

"Provided that the Government shall not be required to fix the minimum work loads whenever they deem it unnecessary to do so."

As amended Clause 6 (2) with the Proviso added reads as follows :—

"After considering the advice of the committee appointed under Clause (*a*) of sub-section (1) and such representations from the public as may be received after publication of the committee's recommendations in the Official Gazette, or as the case may be, all representations received by it before the date specified in the notification under Clause (*b*) of that sub-section, the Government shall, by notification in the Official Gazette fix the minimum rates of wages, and minimum work loads, in respect of each scheduled employment, and, unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue :

"Provided that the Government shall not be required to fix the minimum work loads whenever they deem it unnecessary to do so."

5. *Clause 10.* In line 3 of Clause 10 (1), insert the words "the Advisory Board and" between the words "consult" and "all", and delete the words "and the Advisory Board also" occurring at the end of Clause 10 (1)

6. Add the following words at the end of Clause 10 (2) :—

"with such modification, if any, as the Government may deem fit to make therein".

As amended Clause 10 reads as follows :—

"Procedure for revision of minimum rates of wages and work loads."

(1) Before revising any minimum wages or work loads fixed under this Act, the Government shall consult the Advisory Board and all Advisory Committees appointed under section 7 to inquire into the conditions prevailing in the Scheduled employment concerned.

(2) Revisions of minimum wages and work loads shall be notified by the Government in the Official Gazette, and, unless the notification otherwise provides, it shall come into force on the expiry of three months from the date

of its issue with such modification, if any, as the Government may deem fit to make therein."

SCHEDULE.

PART I.

7. In item No. 8 of the Schedule, Part I, *for* the words "that is to say" *substitute* the word "including";

Omit the word "or" occurring between the words "tea" and "coffee", and add the following after the word "coffee":

"areca or cardamom."

As amended item No. 8 of the Schedule, Part I, reads as follows:—

"Employment in any plantation, including any estate which is maintained for the purpose of growing cinchona, rubber, tea, coffee, areca or cardamom."

In our judgment the Bill has not been so altered as to require republication; the publication directed by the rules has taken place on the 11th day of June 1948.

K. T. BHASHYAM.
RAMAIAH.
T. HANUMAIAH.
K. R. SRINIVASAN.
D. S. MALLAPPA.
S. L. MANNAJI RAO.
B. N. KANNAN.
B. S. PUTTASWAMY.
M. LINGANNA.
L. S. VENKAJI RAO.
E. STUDER.
MOHAMED ISMAIL SHERIFF.

All the members of the Committee except Sri O. Veerabasappa and *Mushir-ul-Mulk* J. Mohamed Imam were present during the discussion

Sm. Kamala Devi has not returned the report with her approval or other observations.

No. 2323—L. C., dated Bangalore, the 8th December 1948.

Under Standing Order 36 of the Mysore Legislative Council Standing Orders, the following report of the Select Committee on the Mysore Employees' State Insurance Bill, is published for general information.

By Order,
T. KEMPIAH.
Secretary,
Mysore Legislative Council.

REPORT OF THE SELECT COMMITTEE ON THE MYSORE EMPLOYEES' STATE INSURANCE BILL.

We, the Members of the Select Committee to which the Mysore Employees' State Insurance Bill has been referred, have considered the Bill at meetings held on 13th September, 22nd September and 28th September 1948 and have the honour to submit the following report:—

Clause 2 (10).—Modify the definition as follows:—

"Family" means the spouse and minor legitimate and adopted children, parents and parents-in-law dependent upon the insured person."

Clause 4—Recast sub-clause (c) as follows:—

"Not more than five persons to be nominated by the Government, of whom at least one shall be a woman and three officials of the Government."

Recast sub-clause (*e*) as follows:—

"Five persons, one at least of whom shall be a woman representing employees to be nominated by the Government in consultation with such organisations of employees as may be recognised for the purpose by the Government;"

Clause 7—In the last line, add the words "by it" between as may be authorised "and" in this behalf".

Clause 8—Recast sub-clause (b) as—

"Three members of the Corporation nominated by it, one of whom shall be a woman and the other two officials of the Government."

Clause 10—Recast as follows :—

(*a*) " the Senior Surgeon, *ex-officio*, as Chairman ;
(*b*) " the Director of Public Health, *ex-officio* ;

Clause 17—In the last line of the sub-clause (1) substitute " two hundred and fifty rupees and above " in place of " five hundred rupees and above. "

Recast sub-clause (3) as follows :—

" Every appointment to posts carrying a maximum monthly pay of two hundred and fifty rupees and above shall be made with the approval of the Government. "

In the proviso to clause 17 (3) substitute " not exceeding six months " for " not exceeding one year ".

Clause 19.—In the heading substitute " insured persons " for " employees ".

Clause 20.—Substitute "times and places" for "time and places".

Clause 21 (5).—Delete the rest of the sentence after the words " at the earliest opportunity ".

Clause 24.—Add the words " reason of " between " by " and " informality ", in the heading of the clause.

Clause 26.—Add " Mysore " before " Employees State Insurance Funds " wherever it occurs in clauses 26 and 27.

Clause 27.—In sub-clause (i) add the word " the " between " defraying " and " charges ".

Clause 36.—In the heading of clause 36 substitute " Legislature " for " Legislative Council ".

Clause 39.—Add " the " before " regulations " in the last line of sub-clause (4).

Clause 40.—Add " the " before " first instance " in the heading of the clause.

Clause 40 (3).—Add the word " neither " before " the principal employer " and add also the words " nor immediate employer " after the words " the principal employer ".

Delete the word " not " in the second line.

Clause 41.—Recast the heading of the clause as : " Recovery of contribution from immediate employer ".

In the last line of sub-clause (2) of clause 41 substitute " sub-section (2) of Section 40 " for " sub-sections (2) and (3) of Section 40 ".

Substitute "shall" for "should" in the explanation to sub-clause (2) of clause 41.—

Clause 45 (*c*).—Add the word "establishment," after "factory" in the third line.

Clause 46 (2).—Add "the" before "regulations" in the second line.

Clause 47.—Recast clause 47 as follows:—

"47. *When person eligible for sickness benefit*:—A person shall be qualified to claim sickness benefit during any benefit period, if during the corresponding contribution period, weekly contributions in respect of him were payable for not less than two-thirds of the number of weeks during which he shall be deemed to have been available for employment within the meaning of Section 48, subject to a minimum of twelve contributions;

Provided that the Corporation may waive the minimum number of contributions during the first contribution period".

Clause 48.—Recast Clause 48 follows:—

When person deemed available for employment:—A person shall always be deemed to have been available for employment in any week, except when during the whole of such week.—

(*a*) he was unable to work on account of sickness which had been duly certified whether entitling him to receive sickness benefit or not, or

(*b*) he was qualified to receive disablement benefit for temporary disablement, or

(*c*) in the case of an insured woman, she was entitled to the maternity benefit provided in section 50 or she would have been entitled to such benefit if she had fulfilled all other conditions entitling her thereto".

Clause 50.—Substitute "were payable" for "have been paid" after the words "in respect of her" in line three, and delete the word "not" occurring twice in lines four and five.

Clause 51 (1) (*d*).—Add the word "the" before "Regulations".

Clause 53 (iii).—Substitute "leave him surviving" for "leave surviving him" in the first line, and substitute "as mentioned in clause (ii)" for "as aforesaid" in the second line.

In the third line of the same clause, substitute "leave her surviving" for "leave behind her" and the words 'mentioned in clauses (ii)' for 'aforesaid'.

Clause 55.—In the proviso to clause 55 (1) (*b*) add "the" before "regulations" in the second line.

Clause 57 (2).—Add "the" before "regulations" in the last line.

Clause 58 (3).—Add the words "shall be shared between the Corporation and the Government", between "thereof" and "shall be determined" in the third line.

Clause 60.—Delete the word "future" in sub-clause (1) and continue the sentence by removing the full-stop; after the last word "assignable" and the words "save in accordance with the provisions of this Act or the Rules thereunder".

Clause 62.—In the heading of the clause substitute "Persons" for "Employees".

Substitute "no person" for "an employee" and delete the word "not" in the second line of the clause.

Clause 63.— In the heading of the clause substitute "Persons" for "Employees".

Clause 64.—In the heading of the clause substitute "Beneficiaries" for "Employees".

In the last line of sub-clause (*c*), add "the" before "regulations".

In sub-clause (*d*) substitute "health visitor" for "sick visitor".

Clause 65.—In sub-clause (1) (*b*) substitute "and" for "or" in the first line.

Clause 66.—In sub-clause (1) (in the fifth line) add the words "notwithstanding the fact that the employer has paid the weekly contributions due under this Act in respect of such insured person", between "the Corporation shall" and "be".

Add the word "the" before "regulations" in the last line of clause 66 (2).

Clause 68.—The heading be modified as:—

"Corporation's rights where a principal employer fails or neglects to pay any contribution".

Clause 69.—In the second line of sub-clause (1) (i) add the words "or establishment" after the word "factory".

In the second line of sub-clause (1) (ii) substitute the words "conditions are" for "condition is" in the second line.

In sub-clause (3) (in line 4) add 'or establishment' after the word 'factory'.

Clause 72.—Recast the clause as follows:—

"No employer by reason only of his liability for any contributions payable under this Act shall, directly or indirectly reduce the wages of any employee, or except as provided by the regulations, discontinue or reduce benefits payable to him under the conditions or his service which are similar to the benefits conferred by this Act."

Clause 73.—In the last but one line of sub-clause (1) substitute the words 'as arising' for 'to arise'.

Clause 75.—At the end of sub-clause (1) (g) after the word 'Act' substitute the full-stop by a comma and begin the next para with a small letter.

Clause 76.—In the last line of sub-clause (1) substitute 'or' for 'of'.

Clause 80.—In the proviso to clause 80, in the first line, substitute 'cause' for 'excuse' and 'benefit' for 'benefits' in the last line.

Clause 82.—In the sub-clause (2) continue the sentence by adding the words:

'or if the value of the subject matter in dispute exceeds Rs. 500'.

Clause 85 (g).—Add the words 'the rules or' between 'the requirements of this Act or' and 'the regulations in respect of'.

Clause 94.—Substitute the following for sub-clause (1):

'The Government may, subject to the condition of previous publication, make rules not inconsistent with this Act for the purpose of giving effect to the provisions thereof.'

Add the following as sub-clause (2):

'In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely':—

Below sub-clause (2) enter the items (*a*) to (*x*) as now found under sub-clause (1).

Continue the sentence in item (*a*) by removing the semi colon and adding the words 'and the qualification for such membership;'

Renumber sub-clause (2) as (3).

Clause 95.—In item (*xv*) of sub-clause (2) remove the semi colon and continue the sentence by adding the words 'by health visitors'.

Delete item (xxiii) and renumber item (xxiv) as (xxiii).

Schedule I.—In 2 (*g*) substitute the words 'clauses (*a*) to (*f*)' for 'clause (*a*) to (*f*)'.

Table.—In the First Item of the Table, substitute '0-6-0' for '0-7-0' in the two places, *i.e.*, under columns 3 and 4.

We are of opinion that no material alterations have been made as would require the republication of the Bill, and that therefore the Bill need not be republished.

K. T. BHASHYAM
J. MAHOMED IMAM
BELUR SRINIVASA IYENGAR
K. KUPPASWAMY NAIDU
T. MADIAH GOWDA
K. M. KRISHNAPPA GOWDA
H. S. RUDRAPPA
O. VEERABASAPPA
RAMAIAH
B. N. KANNAN
B. S. PUTTASWAMY
M. R. LAKSHAMMA
L. S. VENKAJI RAO
A. C. MALLE GOWDA
MAHOMED ISMAIL SHERIFF

During the discussions the following members were absent on the dates noted against their names :—

1	*Mushir-ul-Mulk* J. Mahomed Imam ...	13th and 22nd September 1948.
2	Sri Belur Srinivasa Iyengar ...	13th, 22nd and 28th September 1948.
3	Sri B. S. Puttaswamy ...	13th September 1948.
4	Sri A. C. Malle Gowda ...	13th and 28th September 1948.
5	*Dharmaprakasa Rao Bahadur* K. Kuppaswamy Naidu.	22nd and 28th September 1948.
6	*Dharmaprakasa* L. S. Venkaji Rao ...	28th September 1948.
7	Sri H. S. Rudrappa ...	22nd September 1948.
8	Sri T. Madiah Gowda ...	28th September 1948.

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Reg. No. M. 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

Vol. 83] BANGALORE, THURSDAY, DEC. 23, 1948 [No. 51

PART IV

Legislative Measures and Rules thereunder.

NOTIFICATIONS.

No. W. 676, Bangalore, dated 16th December 1948.

In exercise of the powers conferred by clause (bb) of sub-rule (2) of rule 81 of the Defence of India Rules, as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), the Government of His Highness the Maharaja are pleased to direct that the following further amendments shall be made in the Mysore House Rent and Accommodation Control Order, 1948, and to direct with reference to sub-rule (1) of rule 119 of the said Rules that notice of these amendments shall be given to the public by the publication of the same in the *Mysore Gazette* and by the issue of a Press Note indicating the nature of their provisions, namely :—

1. In sub-clause 2 of clause 2 of the said Order, *for* the words "in the District Headquarter Towns, in the cities of Bangalore, Mysore and Davangere and in the Civil Station of Bangalore," the words "in the areas specified in the Schedule appended to this Order" *shall be substituted.*

2. After clause 18 of the said Order, the following schedule shall be added, namely :—

SCHEDULE.

[(*See Clause 2 (2)*.]

1. Cities of Bangalore, Mysore and Davangere.
2. Civil Station of Bangalore.
3. District Headquarter Towns.
4. Nanjangud Town.
5. Arsikere Town.
6. Chickballapur Town.
7. Tiptur Town.
8. Harihar Town.

MOHAMED ISMAIL SHERIFF, *Genl. Secy.*

No. S. D. 4800—C. 82-48-59, dated Bangalore, 16—17th December 1948.

In exercise of the powers conferred by Sub-Rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore, and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act, 1947 (XX of 1947), and in continuation of Notification No. S. D. 3668—C. 82-48-10, dated the 18th November 1948, the Government of His Highness the Maharaja of Mysore are hereby pleased to direct that the exemption in respect of clauses 4 and 17 of the Articles of Food Acquisition (Harvest) Order, 1948, allowed for Ragi and Jola in Government Notification No. S. D. 3180—C. 82-48-4, dated 5th November 1948, be withdrawn with immediate effect in respect of the undermentioned remaining Taluks in Mysore District and further direct in pursuance of Clause I (ii) of the Articles of Food Acquisition (Harvest) Order, 1948, that in these taluks all the provisions of the aforesaid Order shall apply in respect of all the foodgrains specified in Schedule I of the said order :—

1. Mysore,
2. Chamarajanagar,
3. Krishnarajanagar,
4. Gundlupet,
5. Nanjangud,
6. T.-Narsipur and
7. Yelandur.

Government further direct that with reference to Rule 119 of the said Rules notice of this Order be given by publication in the official Gazette.

SAFI DARASHAH,
Food and Civil Supplies Secy.

ERRATUM.

No. SD. 4953—C. 82-48-56, dated Bangalore, 21st December, 1948.

In the list appended under Note 4 (i) (*c*) in Clause 5 of the "Articles of Food Acquisition (Harvest) Order, 1948" published under Notification No. SD. 3122—C. 82-48-2, dated 4th November 1948 *for* the taluk "Chickmagalur" in Serial 7, *read* "Narasimharajapura".

No. S. D. 4925—R. 30-48-6, dated Bangalore, 22nd December 1948.

In exercise of the powers conferred by sub-rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore and continued by the Supplies, Services and Miscellaneous Provisions (Temporary Powers) Act XX of 1947, the Government of His Highness the Maharaja are pleased to direct that no person, shall, in milling wheat, extract fines (*e.g.*, fine soji and maida) except under or in accordance with a permit granted by the Director of Food Supplies in Mysore, or any other officer authorised by him, and also to direct with reference to sub-rule (1) of Rule 119 of the said Rules that notice of this Order shall be given by publication in the official Gazette and by the issue of a Press Note.

SAFI DARASHAH,
Public Health, Food and Civil Supplies Secy.

No. Fl. 6688—S. T. 1-48-35, dated Bangalore, the 16th December 1948.

The following draft of an amendment to the Mysore Sales-tax Rules, 1948, which the Government of His Highness the Maharaja propose to make in exercise of the powers conferred by Section 25 of the Mysore Sales-tax Act, 1948, is hereby published for the information of all persons likely to be affected thereby as required by sub-section (4) of Section 25 of the said Act.

Notice is hereby given that the draft will be taken into consideration after four weeks from the date of publication of this notification in the Official Gazette.

Objections or suggestions, if any, to the said draft may be sent to the Legal Remembrancer and Secretary to Government, Law Department, Public Offices, Bangalore, through the Commissioner of Sales-tax in Mysore, Bangalore, for consideration so as to reach him within the aforesaid date.

Draft Amendment.

In the Mysore Sales-tax Rules, 1948, after sub-rule (6) of rule 11, the following sub-rule shall be inserted, namely :—

"(6-A) Where a certificate of registration granted under these rules is lost or accidentally destroyed, a duplicate of the certificate may be issued by the assessing authority on payment of a fee of one rupee."

S. KANAKARATNARAJ,
Legal Remembrancer and
Law Secy.

Printed by the Director of Stationery and Printing at the Govt., Press, Bangalore.

Reg. No. M. 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, TUESDAY, DECEMBER 21, 1948.

NOTIFICATION.

Order No. R. L. 1682—Legis. 45-48-1, Bangalore, dated 21st December 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency Continuance) Act, 1948, which received the assent of His Highness the Maharaja on the 17th day of December 1948, be published as Act No. LXX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LXX OF 1948.

THE MYSORE MOTOR VEHICLES AND ROAD TRAFFIC (SECOND AMENDMENT) (EMERGENCY CONTINUANCE) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 17th day of December 1948.*)

Preamble.

WHEREAS the Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1948 (XXVIII of 1948), which received the assent of His Highness the Maharaja on the eighteenth day of June 1948, will expire six months thereafter;

AND WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend it for a further period of six months;

NOW, THEREFORE, in exercise of the powers conferred by Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940),

It is hereby enacted as follows :—

Short title.

1. This Act may be called the Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency Continuance) Act, 1948.

Continuance of Act XXVIII of 1948.

2. The Mysore Motor Vehicles and Road Traffic (Second Amendment) (Emergency) Act, 1948 (XXVIII of 1948), is hereby extended for a further period of six months.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Director of Stationery and Printing at the Government Press, B'lore.

Reg. No. M. 1175.

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, MONDAY, JUNE 7, 1948

NOTIFICATION.

No. 9206—C.B. 822-47-1, dated, Bangalore, the 7th June 1948.

His Highness the Maharaja is pleased to appoint Justice Sri G. Paramasiviah, B.A., LL.B., Judge, High Court of Mysore, as Chief Justice of the High Court of Mysore in the vacancy caused by the retirement of *Rajadharmapravina Diwan Bahadur* P. Venkataramana Rao, B.A., B.L.

By Order,
V. VEDAVYASACHARYA,
Chief Secretary to Government.

Printed by the Superintendent at the Government Press, Bangalore.

Reg. No. M. 1175

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(PUBLISHED BY AUTHORITY)

SUPPLEMENTAL

BANGALORE, THURSDAY, JUNE 10, 1948.

OFFICE 1368 10 JUN 1948

NOTIFICATION.

No. R. L. 3009—L.C. 5-47-19, dated, Bangalore, the 9th June 1948.

In pursuance of the provisions of sub-rule (2) of rule 127 of the Legislative Council Rules, 1940, the name of the member elected to the Legislative Council from the Constituency specified below is hereby notified :—

Sl. No.	*Name of the Constituency.*	*Name and address of the member.*
1	Mysore District (General—Rural).	Sri M. Linganna, B.Sc., LL.B., Hejjige Village, Nanjangud, Mysore District.

S. KANAKARATNARAJ,

Legal Remembrancer and Secretary to Government, Law Department.

Printed by the Superintendent at the Government Press, Bangalore.

Reg. No. M. 1175

The Mysore Gazette

(PUBLISHED BY AUTHORITY)

SUPPLEMENTAL

BANGALORE, THURSDAY, JUNE 10, 1948.

1348
15 JUN 1948

NOTIFICATION.

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In pursuance of the provisions of sub-rule (2) of rule 127 of the Legislative Council Rules, 1940, the name of the member elected to the Legislative Council from the Constituency specified below is hereby notified :—

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S. KANAKARATNARAJ,

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EXTRAORDINARY

BANGALORE, FRIDAY, JUNE 25, 1948.

NOTIFICATION.

No. 3515--L, C. dated Bangalore, the 25th June 1948.

Under the provisions of Rule 37 of the Mysore Legislative Rules, 1941, the Mysore Hindu Sagotra Marriage Validation Bill and the Mysore District Boards (Amendment) Bill which have been introduced in the current Session of the Legislative Council are hereby published.

By Order,
T. KEMPAIYA,
Secretary,
Mysore Legislative Council.

A Bill to Validate Sagotra Marriages Among Hindus

BY SRI M. A. GOPALASWAMY IYENGAR, M.A., B.L.,
Member, Legislative Council, Bangalore.

WHEREAS it is expedient to recognize and place beyond doubt the validity of Sagotra Marriages among Hindus;

It is hereby enacted as follows:—

1. (i) This Act may be called the Mysore Hindu Sagotra Marriage Validation Act, 1948.

(ii) It shall come into force at once.

(iii) It extends to the whole of Mysore and applies also to all Hindu subjects of His Highnees the Maharaja without and beyond Mysore.

2. Notwithstanding any text, rule or interpretation of the Hindu Law or any custom or usage to the contrary no marriage between Hindus, which is otherwise valid, shall be, or be deemed at all times to have been, invalid by reason only of the fact that the parties thereto belong or at any time belonged to the same gotra or pravara.

Statement of Objects and Reasons.

The Bill is based on the Hindu Marriage Disabilities Removal Act (XXVIII of 1946) of the Dominion of India. It seeks to recognise and place beyond doubt the validity of Sagotra Marriages among Hindus.

In recent years many Sagotra Marriages have been contracted. The Bill is intended to operate retrospectively so as to validate also Sagotra Marriages which have already taken place.

A Bill to amend the Mysore District Boards Act, 1926

(By SRI M. A. GOPALASWAMI IYENGAR, M.A., B.L.,
Member, Legislative Council, Bangalore.

WHEREAS it is expedient further to amend the Mysore District Boards Act, 1926; It is hereby enacted as follows :—

1. (i) This Act may be called the Mysore District Boards (Amendment) Act, 1948.

(ii) It shall come into force at once.

2. In sub-section (ii) of Section 14 of the Mysore District Boards Act, 1926, the words "and his decision shall be conclusive" shall be omitted, and the following sentences shall be inserted before the last sentence :—

"The Code of Civil Procedure shall, as far as possible, be followed in such inquiries. An appeal shall lie to the High Court from the order of the Judge, provided it is only on a point of law and is preferred within one month from the date of such order exclusive of the time requisite for obtaining a copy of the order."

Statement of Objects and Reasons.

The Mysore City Municipalities Act and the Mysore Town Municipalities Act provide for an appeal to the High Court against the order of the Election Judge. There is no such provision in the Mysore District Boards Act. The High Court of Mysore has held that no appeal or revision would lie to the High Court against any order passed by the Election Judge under Section 14 of the District Boards Act. The Bill seeks to bring the District Boards Act into conformity with the Mysore City Municipalities Act and the Mysore Town Municipalities Act in this respect and to amend Section 14 of the District Boards Act so as to provide for an appeal to the High Court.

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Statement of Objects and Reasons.

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1. (i) This Act may be called the Mysore District Boards (Amendment) Act, 1948.

(ii) It shall come into force at once.

2. In sub-section (ii) of Section 14 of the Mysore District Boards Act, 1926, the words "and his decision shall be conclusive" shall be omitted, and the following sentences shall be inserted before the last sentence :—

"The Code of Civil Procedure shall, as far as possible, be followed in such inquiries. An appeal shall lie to the High Court from the order of the Judge, provided it is only on a point of law and is preferred within one month from the date of such order exclusive of the time requisite for obtaining a copy of the order."

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The Mysore City Municipalities Act and the Mysore Town Municipalities Act provide for an appeal to the High Court against the order of the Election Judge. There is no such provision in the Mysore District Boards Act. The High Court of Mysore has held that no appeal or revision would lie to the High Court against any order passed by the Election Judge under Section 14 of the District Boards Act. The Bill seeks to bring the District Boards Act into conformity with the Mysore City Municipalities Act and the Mysore Town Municipalities Act in this respect and to amend Section 14 of the District Boards Act so as to provide for an appeal to the High Court.

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EXTRAORDINARY

BANGALORE, THURSDAY, JULY 1, 1948.

NOTIFICATIONS.

Order No. R. L. 3125—Legis. 1-48-1, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXIX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXIX OF 1948.

The Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948.

(Received the assent of His Highness the Maharaja on the 30th day of June 1948.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the 1st day of July 1948.

Amendment of section 2, Act XXVII of 1944.

2. In clause (15) of section 2 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (hereinafter referred to as the said Act) after the words "District Board", the words "the Municipal Commission of the Civil and Military Station of Bangalore," shall be inserted.

Amendment of section 11, Act XXVII of 1944.

3. In sub-section (1) of section 11 of the said Act, the words "or the Indian Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore" shall be omitted.

Amendment of section 27, Act XXVII of 1944.

4. In sub-section (1) of section 27 of the said Act, the proviso shall be omitted.

Amendment of section 38, Act XXVII of 1944.

5. In sub-section (3) of section 38 of the said Act, clause (n) shall be omitted.

Amendment of section 98, Act XXVII of 1944.

6. In section 98 of the said Act, after the words, and figures, "Minor Municipalities Act, 1933," the words, figures and brackets, "or in the Bangalore Municipal Law, 1897, as continued by the Retrocession (Application of Laws) Act, 1947," shall be inserted, and after the words "no Municipal Council," the words "or the Municipal Commission of the Civil and Military Station of Bangalore," shall be inserted.

Amendment of section 99, Act XXVII of 1944.

7. To sub-section (1) of section 99 of the said Act, the following proviso shall be added, namely :—

"Provided that in the case of the Municipal Commission of the Civil and Military Station of Bangalore, the said period may be computed as three years ending on the 31st day of March 1948"

A. RAMASWAMI MUDALIAR,

Dewan.

Order No. R. L. 3126—Legis. 1-48-2, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja on the 30th day of June 1948 be published as Act No. XXX of 1948 in the *Mysore Gazette* for the general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXX OF 1948.

The Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948.

(Received the Assent of His Highness the Maharaja on the 30th day of June 1948.)

Preamble.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to extend the Mysore Motor Vehicles and Road Traffic Act, 1944, to the Retroceded Area with effect from the 1st day of July 1948 and to provide for matters incidental thereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the 1st day of July 1948.

Definition.

2. In this Act, 'Retroceded Area' means the "Retroceded Area" as defined in the Retrocession (Application of Laws) Act, 1947.

Application of Act XXVII of 1944 to the Retroceded Area.

3. Notwithstanding anything to the contrary in Section 3 of the Retrocession (Application of Laws) Act, 1947, the Mysore Motor Vehicles and Road Traffic Act, 1944, and all rules, orders and notifications made or

issued under the said Act and for the time being in force, shall with effect from the 1st day of July 1948, take effect and be in force in the Retroceded Area to the same extent and in the same manner as in the rest of Mysore.

Officers to continue.

4. All officers appointed or authorised under the Motor Vehicles Act, 1939 (Act IV of 1939) as continued by the Retrocession (Application of Laws) Act, 1947, shall be, as far as may be, deemed with effect from the 1st day of July 1948 to be appointed or authorised under the Mysore Motor Vehicles and Road Traffic Act, 1944.

Repeal.

5. The Motor Vehicles Act, 1939 (Act IV of 1939) as continued by the Retrocession (Application of Laws) Act, 1947, is hereby repealed.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 3127—Legis. 2-48-1, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assene of His Highness the Maharaja, on the 30th day of Junt 1948, be published as Act No. XXXI of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT NO. XXXI OF 1948.

The Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948.

(*Received the assent of His Highness the Maharaja on the 30th day of June 1948.*)

Preamble.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to extend the Mysore Income-Tax Act, 1923 and the Mysore Excess Profits Tax Act, 1946, to the Retroceded Area with effect from the first day of July 1948 and to provide for matters incidental thereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948. Short title, extent and commencement.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Act unless there is anything repugnant in the subject or context, Definition.

"Retroceded Area" means the "Retroceded Area" as defined in the Retrocession (Application of Laws) Act, 1947.

3. Notwithstanding anything to the contrary in section 3 of the Retrocession (Application of Laws) Act, 1947, Application of Acts V of 1923 and XI 1946 to Retroceded Area.

(i) the Mysore Income-Tax Act, 1923, and (ii) the Mysore Excess Profits Tax Act, 1946, except sub-section (4) of section 2,

and all rules, orders and notifications made or issued under the aforesaid Acts and for the time being in force shall with effect from the first day of July 1948, and save as otherwise provided in this Act, take effect in the Retroceded Area to the same extent and in the same manner as in the rest of Mysore.

4. All officers appointed or authorised under the Indian Income-Tax Act, 1922, or the Excess Profits Tax Act, 1940, as continued by the Retrocession (Application of Laws) Act, 1947, shall be, as far as may be, deemed, with effect from the first day of July 1948 to be appointed or authorised under the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946, as the case may be. Officers to continue.

5. Notwithstanding anything to the contrary in the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946,— Transitional provisions.

(*a*) the rate or rates of income-tax or excess profits Tax applicable to the total income or profits chargeable to income-tax or excess profits tax in the Retroceded Area prior to the first day of July 1948, shall be the same rate or rates as are specified in similar circumstances in the Indian Income-tax Act, 1922, or the Excess Profits Tax

Act, 1940, as in force in the Retroceded Area, immediately prior to the first day of July 1948;

(*b*) in respect of the total income or profits chargeable to income-tax or excess profits tax in the Retroceded Area prior to the first day of July 1948, but which has not been assessed until that date, the provisions of the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940, as in force in the Retroceded Area immediately before that date shall apply to proceedings relating to the assessment of such income or profits until the stage of assessment, and the determination of the income-tax and excess profits tax payable thereon, and the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946, as the case may be, shall apply to such proceedings after that stage;

(*c*) any appeal or application pending before an income-tax or excess profits tax authority in the Retroceded Area immediately prior to the first day of July 1948 shall be deemed, on that date, to be an appeal or application pending before an income-tax or excess profits tax authority in Mysore vested with or ordinarily exercising the functions of such authority and the Indian Income-Tax Act, 1922, or the Excess Profits Tax Act, 1946, as the case may be, as in force in the Retroceded Area immediately prior to the first day of July 1948, shall apply to such appeal or application;

(*d*) in respect of any assessment of income-tax or excess profits tax made in the Retroceded Area prior to the first day of July 1948 or an order passed by an Appellate Assistant Commissioner of Income-Tax on appeal from an order of assessment of income in the Retroceded Area prior to that date, an appeal or application shall lie to the income-tax or excess profits tax authority in Mysore who would have been entitled to hear such appeal or application if the order of assessment or appeal had been made in Mysore, provided that the appeal or application is filed or preferred in the circumstances and within the time within which such an appeal or application should have been filed or preferred under the law in force in the Retroceded Area immediately before that date, and the provisions of the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940 as the case may be, as in force in the Retroceded Area immediately prior to the first day of July 1948, shall apply to such appeal or application;

(*e*) where more than half of the total income of any individual, Hindu undivided family, unregistered firm or other association of individuals not being a registered firm or company, accruing, arising or received during the year ending on the 30th day of June 1948, consists of income from salaries, interests on securities or dividends, or consists of income falling under more than one of these heads, income-tax and super-tax shall be charged in respect of any such total income at the rates applicable to such income in the Retroceded Area immediately before the first day of July 1948.

6. Subject to the provisions of this Act, the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940, as continued by the Retrocession (Application of Laws) Act, 1947, are hereby repealed. Repeal.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 3128—Legis. 3-48-1, Bangalore, dated 1st July 1948.

Ordered that the accompanying Mysore Excise (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXXII of 1948 in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXII OF 1948.

The Mysore Excise (Application to the Retroceded Area) (Emergency) Act, 1948.

(*Received the assent of His Highness the Maharaja on the 30th day of June 1948.*)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend the Mysore Excise Act, 1901 (V of 1901) to the Retroceded Preamble.

Area as defined in Section 2 of the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Excise (Application to Retroceded Area) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Extending the Mysore Excise Act, 1901 to the Retroceded Area.

2. Notwithstanding anything to the contrary contained in Section 3 of the Retrocession (Application of Laws) Act, 1947, the Mysore Excise Act, 1901 (V of 1901) and all rules, orders and notifications made thereunder and for the time being in force shall take effect in the Retroceded Area as defined in Section 2 of the Retrocession (Application of Laws) Act, 1947, to the same extent and in the same manner as in the rest of Mysore.

Repeal of the Excise Regulation I of 1915.

3. The Excise Regulation, 1915 (I of 1915) as applied to the Retroceded Area and as continued by Section 3 of the Retrocession (Application of Laws) Act, 1947 is hereby repealed.

Savings as to orders, etc.

4. Any order issued, any action taken and anything done under the Excise Regulation, 1915 (I of 1915) as in force in the Retroceded Area before the commencement of this Act, shall so far as it is not inconsistent with the provisions of the Mysore Excise Act, 1901, be deemed to have been issued, taken and done under the corresponding provisions of the Mysore Excise Act, 1901.

A. RAMASWAMI MUDALIAR,
Dewan.

No. Rl. 3129—Legis. 3-48-2, dated Bangalore, 1st July 1948.

Ordered that the accompanying opium (Application to the Retroceded Area) (Emergency) Act, 1948 which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXXIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

Reg. No. M. 1175

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EXTRAORDINARY

BANGALORE, THURSDAY, JULY 1, 1948.

NOTIFICATIONS.

Order No. R. L. 3125—Legis. 1-48-1, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXIX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXIX OF 1948.

The Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948.

(Received the assent of His Highness the Maharaja on the 30th day of June 1948.)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary further to amend the Mysore Motor Vehicles and Road Traffic Act, 1944 (XXVII of 1944);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Third Amendment) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the 1st day of July 1948.

Amendment of section 2, Act XXVII of 1944.

2. In clause (15) of section 2 of the Mysore Motor Vehicles and Road Traffic Act, 1944 (hereinafter referred to as the said Act) after the words "District Board", the words "the Municipal Commission of the Civil and Military Station of Bangalore," shall be inserted.

Amendment of section 11, Act XXVII of 1944.

3. In sub-section (1) of section 11 of the said Act, the words "or the Indian Motor Vehicles Act, 1939, as applied to the Civil and Military Station, Bangalore" shall be omitted.

Amendment of section 27, Act XXVII of 1944.

4. In sub-section (1) of section 27 of the said Act, the proviso shall be omitted.

Amendment of section 38, Act XXVII of 1944.

5. In sub-section (3) of section 38 of the said Act, clause (n) shall be omitted.

Amendment of section 98, Act XXVII of 1944.

6. In section 98 of the said Act, after the words, and figures, "Minor Municipalities Act, 1933," the words, figures and brackets, "or in the Bangalore Municipal Law, 1897, as continued by the Retrocession (Application of Laws) Act, 1947," shall be inserted, and after the words "no Municipal Council," the words "or the Municipal Commission of the Civil and Military Station of Bangalore," shall be inserted.

Amendment of section 99, Act XXVII of 1944.

7. To sub-section (1) of section 99 of the said Act, the following proviso shall be added, namely :—

"Provided that in the case of the Municipal Commission of the Civil and Military Station of Bangalore, the said period may be computed as three years ending on the 31st day of March 1948"

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 3126—Legis. 1-48-2, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja on the 30th day of June 1948 be published as Act No. XXX of 1948 in the *Mysore Gazette* for the general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXX OF 1948.

The Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948.

(*Received the Assent of His Highness the Maharaja on the 30th day of June 1948.*)

Preamble.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to extend the Mysore Motor Vehicles and Road Traffic Act, 1944, to the Retroceded Area with effect from the 1st day of July 1948 and to provide for matters incidental thereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Motor Vehicles and Road Traffic (Application to the Retroceded Area) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force on the 1st day of July 1948.

Definition.

2. In this Act, 'Retroceded Area' means the "Retroceded Area" as defined in the Retrocession (Application of Laws) Act, 1947.

Application of Act XXVII of 1944 to the Retroceded Area.

3. Notwithstanding anything to the contrary in Section 3 of the Retrocession (Application of Laws) Act, 1947, the Mysore Motor Vehicles and Road Traffic Act, 1944, and all rules, orders and notifications made or

issued under the said Act and for the time being in force, shall with effect from the 1st day of July 1948, take effect and be in force in the Retroceded Area to the same extent and in the same manner as in the rest of Mysore.

Officers to continue.

4. All officers appointed or authorised under the Motor Vehicles Act, 1939 (Act IV of 1939) as continued by the Retrocession (Application of Laws) Act, 1947, shall be, as far as may be, deemed with effect from the 1st day of July 1948 to be appointed or authorised under the Mysore Motor Vehicles and Road Traffic Act, 1944.

Repeal.

5. The Motor Vehicles Act, 1939 (Act IV of 1939) as continued by the Retrocession (Application of Laws) Act, 1947, is hereby repealed.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 3127—Legis. 2-48-1, dated Bangalore, the 1st July 1948.

Ordered that the accompanying Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assene of His Highness the Maharaja, on the 30th day of Junt 1948, be published as Act No. XXXI of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT NO. XXXI OF 1948.

The Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948.

(Received the assent of His Highness the Maharaja on the 30th day of June 1948.)

Preamble.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to extend the Mysore Income-Tax Act, 1923 and the Mysore Excess Profits Tax Act, 1946, to the Retroceded Area with effect from the first day of July 1948 and to provide for matters incidental thereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore Income-Tax and Excess Profits Tax (Application to the Retroceded Area) (Emergency) Act, 1948. Short title, extent and commencement.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. In this Act unless there is anything repugnant in the subject or context, Definition.

"Retroceded Area" means the "Retroceded Area" as defined in the Retrocession (Application of Laws) Act, 1947.

3. Notwithstanding anything to the contrary in section 3 of the Retrocession (Application of Laws) Act, 1947, Application of Acts V of 1923 and XI 1946 to Retroceded Area.

(i) the Mysore Income-Tax Act, 1923, and (ii) the Mysore Excess Profits Tax Act, 1946, except sub-section (4) of section 2,

and all rules, orders and notifications made or issued under the aforesaid Acts and for the time being in force shall with effect from the first day of July 1948, and save as otherwise provided in this Act, take effect in the Retroceded Area to the same extent and in the same manner as in the rest of Mysore.

4. All officers appointed or authorised under the Indian Income-Tax Act, 1922, or the Excess Profits Tax Act, 1940, as continued by the Retrocession (Application of Laws) Act, 1947, shall be, as far as may be, deemed, with effect from the first day of July 1948 to be appointed or authorised under the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946, as the case may be. Officers to continue.

5. Notwithstanding anything to the contrary in the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946,— Transitional provisions.

(*a*) the rate or rates of income-tax or excess profits Tax applicable to the total income or profits chargeable to income-tax or excess profits tax in the Retroceded Area prior to the first day of July 1948, shall be the same rate or rates as are specified in similar circumstances in the Indian Income-tax Act, 1922, or the Excess Profits Tax

Act, 1940, as in force in the Retroceded Area, immediately prior to the first day of July 1948;

(*b*) in respect of the total income or profits chargeable to income-tax or excess profits tax in the Retroceded Area prior to the first day of July 1948, but which has not been assessed until that date, the provisions of the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940, as in force in the Retroceded Area immediately before that date shall apply to proceedings relating to the assessment of such income or profits until the stage of assessment, and the determination of the income-tax and excess profits tax payable thereon, and the Mysore Income-Tax Act, 1923, or the Mysore Excess Profits Tax Act, 1946, as the case may be, shall apply to such proceedings after that stage;

(*c*) any appeal or application pending before an income-tax or excess profits tax authority in the Retroceded Area immediately prior to the first day of July 1948 shall be deemed, on that date, to be an appeal or application pending before an income-tax or excess profits tax authority in Mysore vested with or ordinarily exercising the functions of such authority and the Indian Income-Tax Act, 1922, or the Excess Profits Tax Act, 1946, as the case may be, as in force in the Retroceded Area immediately prior to the first day of July 1948, shall apply to such appeal or application;

(*d*) in respect of any assessment of income-tax or excess profits tax made in the Retroceded Area prior to the first day of July 1948 or an order passed by an Appellate Assistant Commissioner of Income-Tax on appeal from an order of assessment of income in the Retroceded Area prior to that date, an appeal or application shall lie to the income-tax or excess profits tax authority in Mysore who would have been entitled to hear such appeal or application if the order of assessment or appeal had been made in Mysore, provided that the appeal or application is filed or preferred in the circumstances and within the time within which such an appeal or application should have been filed or preferred under the law in force in the Retroceded Area immediately before that date, and the provisions of the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940 as the case may be, as in force in the Retroceded Area immediately prior to the first day of July 1948, shall apply to such appeal or application;

(*e*) where more than half of the total income of any individual, Hindu undivided family, unregistered firm or other association of individuals not being a registered firm or company, accruing, arising or received during the year ending on the 30th day of June 1948, consists of income from salaries, interests on securities or dividends, or consists of income falling under more than one of these heads, income-tax and super-tax shall be charged in respect of any such total income at the rates applicable to such income in the Retroceded Area immediately before the first day of July 1948.

6. Subject to the provisions of this Act, the Indian Income-Tax Act, 1922, and the Excess Profits Tax Act, 1940, as continued by the Retrocession (Application of Laws) Act, 1947, are hereby repealed. Repeal.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 3128—Legis. 3-48-1, Bangalore, dated 1st July 1948.

Ordered that the accompanying Mysore Excise (Application to the Retroceded Area) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXXII of 1948 in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXII OF 1948.

The Mysore Excise (Application to the Retroceded Area) (Emergency) Act, 1948.

(*Received the assent of His Highness the Maharaja on the 30th day of June 1948.*)

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend the Mysore Excise Act, 1901 (V of 1901) to the Retroceded Preamble.

Area as defined in Section 2 of the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Excise (Application to Retroceded Area) (Emergency) Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Extending the Mysore Excise Act, 1901 to the Retroceded Area.

2. Notwithstanding anything to the contrary contained in Section 3 of the Retrocession (Application of Laws) Act, 1947, the Mysore Excise Act, 1901 (V of 1901) and all rules, orders and notifications made thereunder and for the time being in force shall take effect in the Retroceded Area as defined in Section 2 of the Retrocession (Application of Laws) Act, 1947, to the same extent and in the same manner as in the rest of Mysore.

Repeal of the Excise Regulation I of 1915.

3. The Excise Regulation, 1915 (I of 1915) as applied to the Retroceded Area and as continued by Section 3 of the Retrocession (Application of Laws) Act, 1947 is hereby repealed.

Savings as to orders, etc.

4. Any order issued, any action taken and anything done under the Excise Regulation, 1915 (I of 1915) as in force in the Retroceded Area before the commencement of this Act, shall so far as it is not inconsistent with the provisions of the Mysore Excise Act, 1901, be deemed to have been issued, taken and done under the corresponding provisions of the Mysore Excise Act, 1901.

A. RAMASWAMI MUDALIAR,
Dewan.

No. Rl. 3129—Legis. 3-48-2, dated Bangalore, 1st July 1948.

Ordered that the accompanying opium (Application to the Retroceded Area) (Emergency) Act, 1948 which received the assent of His Highness the Maharaja, on the 30th day of June 1948, be published as Act No. XXXIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

Reg. No. M. 1175

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EXTRAORDINARY

BANGALORE, SATURDAY, JULY 17, 1948.

NOTIFICATIONS.

No. R. L. 43—Legis. 6-48-1, Bangalore, dated the 17th July 1948.

Ordered that the accompanying Betting Tax (Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the Seventeenth day of July 1948, be published as Act No. XXXVI of 1948, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department

ACT No. XXXVI OF 1948.

THE BETTING TAX (AMENDMENT) (EMERGENCY) ACT, 1948.

(Received the assent of His Highness the Maharaja on the Seventeenth day of July 1948.)

An Act to amend the Betting Tax Act, 1932.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which

render it necessary to take immediate action to amend the Betting Tax Act, 1932, (IX of 1932), for the purposes hereinafter appearing :

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940, (XVIII of 1940) :

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Betting Tax (Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

Amendment of sections 3 and 6 of Act IX of 1932.

2. In sections 3 and 6 of the Betting Tax Act, 1932, for the words "four per cent", the words "eight per cent" shall be substituted.

A. RAMASWAMI MUDALIAR,
Dewan.

No. Fl. 743—I. T. 1-48-1, dated Bangalore, the 17th July 1948.

In exercise of the powers conferred on them under Sections 3 and 6 of the Betting Tax Act, 1932, as amended by Act No. XXXVI of 1948, and in supersession of Notification No. Fl. 7772, dated the 19th May 1948, the Government of His Highness the Maharaja are pleased to direct that the Totalisator and Betting Taxes be charged at eight per cent.

2. These rates shall come into effect at once.

S. KANAKARATNARAJ,
Secretary to Government,
Law Department.

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EXTRAORDINARY

BANGALORE, TUESDAY, JULY 20, 1948.

NOTIFICATION.

No. R. L. 55—Legis. 7-48-1, dated Bangalore, the 20th July 1948.

Ordered that the accompanying Mysore Prohibition Act, 1948, which received the assent of His Highness the Maharaja, on the 13th day of July 1948, be published as Act No. XXXVII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,

Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVII OF 1948.

THE MYSORE PROHIBITION ACT, 1948.

(Received the assent of His Highness the Maharaja on the 13th day of July 1948).

An Act to introduce and extend the Prohibition of the manufacture, sale and consumption of intoxicating liquors and drugs in Mysore.

WHEREAS it is expedient, as early as possible, to bring about the prohibition except for medicinal, scientific or industrial or such like purposes, of the production, manufacture, possession, export, import, transport, purchase, sale and consumption of intoxicating liquors and drugs in Mysore;

AND WHEREAS it is desirable to give effect to the abovementioned policy by introducing it in certain selected areas in Mysore and to utilise the experience gained therein for extending it to the other areas thereof;

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title, extent and commencement.

1. (1) This Act may be called the Mysore Prohibition Act, 1948.

(2) It extends to the whole of Mysore.

(3) (*a*) It shall be deemed to have come into force in the districts of Kolar, Chitaldrug and Tumkur from the first day of July 1948.

(*b*) This section and sections 3 and 7 shall come into force throughout the rest of Mysore at once, and the rest of the Act shall come into force in any other local area in Mysore on such date as the Government may, by notification, appoint.

Repeals.

2. From the date on which the provisions of this Act other than Sections 1, 3 and 7 come into force in any local area, the enactments mentioned in the Schedule shall cease to be in force in such area to the extent specified in the third column thereof:

Provided that the Government may, by notification, declare that the provisions of this Act other than Sections 1, 3 and 7 shall cease to be in force in any local area on such dates as may be specified in the notification, and thereupon, the enactments mentioned in the Schedule with any subsequent statutory modifications thereof shall

revive and come into force in such area with effect on and from such date.

Definitions.

3. In this Act, unless there is something repugnant in the subject or context—

(1) "beer" includes ale, stout, porter, and all other fermented liquors usually made from malt;

(2) "bottle" means to transfer liquor from a cask or other vessel to a bottle, jar, flask or pot or similar receptacle for the purpose of sale whether any process of manufacture be employed or not and includes re-bottling;

(3) "buy" or "buying" includes any receipt including gift;

(4) "cocaine" means the principal alkaloid of Erythroxylon coca, having the chemical formula $C_{17}H_{21}NO_4$ and includes—

(i) all parts of the coca plant,

(ii) all new derivatives of cocaine or of its salts which may be shown by scientific research generally recognized to be liable to similar abuse and productive of like ill-effects,

(iii) eucaine and every other preparation, synthetic or otherwise, which has a physiological effect similar to that of cocaine or which is declared by the Government to be included in the meaning of the term cocaine,

(iv) all preparations (official or non-official) including the so-called anti-opium remedies containing cocaine or eucaine or such derivatives, salts, or preparations as above.

(5) "Commissioner" means the officer appointed under clause (*a*) of Section 28;

(6) "country liquor" means liquor manufactured in Mysore or in any part of India, Batavia, Ceylon or any other country which may be specified in the rules framed by Government from time to time in this behalf;

(7) "cultivation" includes the tending or protecting of a plant during growth and does not necessarily imply raising it from seed;

(8) "denatured" means subjected to a process prescribed by the Government by notification for the purpose of rendering unfit for human consumption;

(9) "Deputy Commissioner" means a Deputy Commissioner of the District, or any person appointed under clause (*b*) of Section 28 to exercise all or any of the powers or to perform all or any of the duties of a Deputy Commissioner under this Act;

(10) "export" means—

(*a*) to take out of any local area to which this Act applies to any other local area in Mysore to which this Act has not been extended, or

(*b*) to take out of Mysore to any place beyond the limits of Mysore;

(11) "foreign liquor" includes all liquor other than country liquor:

Provided that any case in which doubt may arise, the Government may declare by notification what for the purposes this Act shall be deemed to be "country liquor and what "foreign liquor".

(12) "Hemp drugs" includes,—

(i) ganja, bhang and every preparation and admixture of the same and every intoxicating drink or substance prepared from any part of the hemp plant (cannabis sativa or indica); and

(ii) the leaves, small stalks and flowering or fruiting tops of the hemp plant and charas that is the resin obtained from the Indian hemp plant, which has not been submitted to any manipulations other than those necessary for packing and transport;

(13) "import" means,—

(a) to bring into any local area to which this Act applies from any other local area in Mysore to which this Act has not been extended; or

(b) to bring into Mysore from any place beyond the limits of Mysore;

(14) "intoxicating drug" includes

(i) hemp drugs, cocaine and every intoxicating drink or substance prepared from grain or from other materials and not included in the term "liquor"; and

(ii) any other intoxicating or narcotic substance which the Government may, by notification, declare to be an intoxicating drug, such substance not being coco leaf or opium as defined in the Indian Opium Act, 1878.

(15) "liquor" includes toddy, spirits of wine, methylated spirits, spirits, wine, beer and all liquid consisting of or containing alcohol;

(16) "local body" means any municipality constituted under the Mysore City Municipalities Act, 1933, the Mysore Town Municipalities Act, 1933 or the Bangalore Municipal Law, 1897 or any District Board constituted under the Mysore District Boards Act, 1926.

(17) "manufacture" includes every process, whether natural or artificial, by which any fermented, spirituous, or intoxicating liquor or intoxicating drug is produced, prepared or blended, and also redistillation and every process for the rectification of liquor;

(18) "place" includes also a house, shed, enclosure, building, shop, tent and vessel;

(19) "police station" includes any place which the Government may, by notification, declare to be a police station for the purpose of this Act;

(20) "Prohibition Officer" means the Commissioner, a Deputy Commissioner or any officer or other person lawfully appointed or invested with powers under Section 28;

(21) "rectification" includes every process whereby spirits are purified or are coloured or flavoured by mixing any material therewith;

(22) "sale" or "selling" includes any transfer including gift;

(23) "spirits" means any liquor containing alcohol and obtained by distillation (whether it is denatured or not);

(24) "sweet toddy" means juice drawn into receptacles treated so as to prevent any fermentation;

(25) "toddy" means the fermented or unfermented juice drawn from a coconut, palmyra, bagani, date or any other kind of palm tree;

(26) "transport" means to move from one place to another within any local area to which this Act applies whether the intervening area lies wholly within Mysore or not;

(27) any references to a permit generally or to a permit granted under Section 21, 22 or 23 shall be construed as including a reference to an 'Authority' issued under Section 18;

(28) any references to an enactment shall, in respect of the retroceded area as defined in the Retrocession (Application of Laws) Act, 1947, be construed as references to the enactment as in force in the said area and in respect of the rest of Mysore as references to the enactment as in force therein.

CHAPTER II.

PROHIBITIONS AND PENALTIES.

Prohibition of the manufacture, of traffic in, and consumption of liquors and intoxicating drugs.

4. (1) Whoever :—

(*a*) imports, exports, transports or possesses liquor or any intoxicating drug ; or

(*b*) manufactures liquor or any intoxicating drug ; or

(*c*) except in accordance with the rules made by the Government in that behalf, cultivates, or fails to take the measures prescribed for checking the spontaneous growth or for the extirpation of, the hemp plant (cannabis sativa or indica) or the coca plant (erythroxylum coca) or collects any portion of such plants from which an intoxicating drug can be manufactured ; or

(*d*) taps any toddy-producing tree wilfully or permits or suffers to be tapped any toddy-producing tree belonging to him or in his possession ; or

(*e*) draws toddy from any tree or wilfully permits or suffers toddy to be drawn from any tree belonging to him or in his possession ; or

(*f*) constructs or works any distillery or brewery ; or

(*g*) uses, keeps or has in his possession any materials, still, utensils, implement or apparatus whatsoever for the tapping of toddy or the manufacture of liquor or any intoxicating drug ; or

(*h*) bottles any liquor for purposes of sale ; or

(*i*) sells liquor or any intoxicating drug ; or

(*j*) consumes or buys liquor or any intoxicating drug ; or

(*k*) wilfully allows any of the acts aforesaid upon premises in his immediate possession ;

shall be punished :—

(i) in the case of an offence falling under clause (*b*), clause (*f*), clause (*g*), clause (*h*) or clause (*i*) or an offence falling under clause (*k*) in so far as it relates to an act specified in any of the clauses aforesaid, with imprisonment which may extend to two years or with fine which may extend to five thousand rupees or with both ;

(ii) in the case of an offence falling under clause (a) except for possession, clause (c), clause (d), clause (e) and clause (j), with imprisonment up to one year, or with fine extending to rupees two thousand, or with both; and

(iii) in any other case with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both:

Provided that nothing contained in this sub-section shall apply to any act done under, and in accordance with, the provisions of this Act or the terms of any rule, notification, order, license or permit issued thereunder.

(2) It shall be presumed until the contrary is shown—

(a) that a person accused of any offence under clauses (a) to (j) of sub-section (1) has committed such offence in respect of any liquor or intoxicating drug or any still, utensil, implement or apparatus whatsoever for the tapping of toddy or the manufacture of liquor or any intoxicating drug, or any such materials as are ordinarily used in the tapping of toddy or the manufacture of liquor or any intoxicating drug, for the possession of which he is unable to account satisfactorily; and

(b) that a person accused of any offence under clause (k) of sub-section (1) has committed such offence if an offence is proved to have been committed in premises in his immediate possession in respect of any liquor or intoxicating drug or any still, utensil, implement or apparatus whatsoever for the tapping of toddy or the manufacture of liquor or any intoxicating drug, or any such materials as are ordinarily used in the tapping of toddy or the manufacture of liquor or any intoxicating drug.

Punishment for being found in a state of intoxication

5. Whoever is found in a state of intoxication in any public place and whoever, not having been permitted to consume any liquor or intoxicating drug in pursuance of this Act, is found in a state of intoxication in any private place, shall be punished with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

6. Whoever renders or attempts to render fit for human consumption any spirit, whether manufactured in Mysore or not, which has been denatured or has, in his possession any spirit in respect of which he knows or has reason to believe that any such attempt has been made shall be punished with imprisonment which may extend to two years or with fine which may extend to five thousand rupees or with both.

Punishment for rendering or attempting to render denatured spirits for human consumption.

For the purpose of this Section it shall be presumed, until the contrary is proved, that any spirit which is proved on chemical analysis to contain any quantity of any of the prescribed denaturants is or contains or has been derived from denatured spirit.

7. Whoever prints or publishes in any newspaper, book, leaflet, booklet or any other single or periodical publication or otherwise displays or distributes any advertisement or other matter commending, soliciting the use of, or offering any liquor or intoxicating drug other than liquor or drugs exempted under Section 17, shall be punished with fine which may extend to one thousand rupees :

Prohibition of advertisements.

Provided that this Section shall not apply :—

(*a*) to plain catalogues and prices lists which may be generally or specially approved by the Commissioner ; or

(*b*) to advertisements in medical journals, or to notices and literature circulated exclusively to members of the medical profession, if such advertisements, notices or literature relate to any liquor or intoxicating drug which has been specially approved as of medicinal value :—

(i) by the Medical Council established by the Mysore Medical Registration Act, 1931 ; or

(ii) by any other Medical Council which has been established under any law for the time being in force in any Province in India or in any State which has before or after the commencement of this Act acceded to the Dominion of India or which has been recognized by the Government of such Province or State ; or

(iii) by such authority in respect of Indian Medicine as may be notified by the Government ; or

(c) to the normal circulation within the State of newspapers, periodicals and books printed and published in accordance with the law outside Mysore; or

(d) to any advertisement contained in a newspaper printed and published in Mysore before the first day of July 1948.

Punishment for conspiracy.

8. When two or more persons agree—

(a) to commit or cause to be committed any offence under sub-section (1) of Section 4 or under Section 6 or

(b) to evade or nullify the provisions of this Act in any area where it is in force, each of such persons shall, notwithstanding that no act except the agreement was done by any of the parties thereto in pursuance thereof or that the agreement was made or the operations thereunder took place in an area to which this Act has not been extended, be punished with imprisonment which may extend to three years or with fine which may extend to five thousand rupees or with both.

Punishment for vexatious search or arrest.

9. Any officer or person exercising powers under this Act, who—

(a) without reasonable ground of suspicion, enters or searches or causes to be searched, any closed place; or

(b) vexatiously and unnecessarily seizes the property of any person on the pretence of seizing or searching for anything liable to confiscation under this Act, or

(c) vexatiously and unnecessarily detains, searches or arrests any person; or

(d) maliciously and falsely lays informations leading to a search, seizure, detention or arrest; or

(e) in any other way maliciously exceeds his lawful powers, shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees or with both.

Punishment for vexatious delay.

10. Any officer or person exercising powers under this Act, who vexatiously and unnecessarily delays forwarding to a Prohibition Officer or to the officer in charge of the nearest police station as required by Section 41, any person arrested or any article seized under this Act, shall be punished with fine which may extend to two hundred rupees.

Punishment for abetment of escape of persons arrested, etc.

11. Any officer or person exercising powers under this Act, who—

(a) unlawfully releases or abets the escape of any persons arrested under this Act, or abets the commission of any offence against this Act; or

(*b*) acts in any manner inconsistent with his duty for the purpose of enabling any person to do anything whereby any of the provisions of this Act may be evaded or broken, and

any other officer of the Government or of a local body who abets the commission of any offence against this Act,

shall be punished with imprisonment which may extend to six months or with fine which may extend to five hundred rupees or with both.

Punishment for offences not otherwise provided for.

12. Whoever is guilty of any wilful act or intentional omission in contravention of any of the provisions of this Act, or of any rule, notification or order made thereunder and not otherwise provided for in this Act, shall be punished with fine which may extend to five hundred rupees.

Punishment for abetment of offence against Act in area to which Act is not extended.

13. Where any offence against this Act is committed in any area to which it has been extended, whoever commits, or attempts to commit or abets the commission of, any of the acts making up the offence shall be liable to be punished therefor, whether such commission, attempt or abetment takes place within or outside such area.

Things liable to confiscation.

14. In any case in which an offence has been committed against this Act, the liquor, drug, materials, still, utensil, implement, or apparatus in respect of or by means of which the offence has been committed shall be liable to confiscation along with the receptacles, packages, coverings, animals, vessels, carts or other vehicles used to hold or carry the same.

Confiscation how ordered.

15. (1) When the offender is convicted or when the person charged with an offence against this act is acquitted, but the Court decides that anything is liable to confiscation, such confiscation may be ordered by the Court.

(2) When the offence against this Act has been committed but the offender is not known, or cannot be found or when anything liable to confiscation under this Act, and not in the possession of any person cannot be satisfactorily accounted for, the case shall be inquired into and determined by the Deputy Commissioner or other Prohibition Officer in charge of the district or by any other officer authorised by the Government in that behalf, who may order such confiscation :

Provided that no such order shall be made until the expiration of fifteen days from the date of seizing the things intended to be confiscated or without hearing the

persons, if any, claiming any right thereto, and evidence, if any, which they produce in support of their claims.

Offence under Act to be cognizable.

16. All offences under this Act shall be cognizable and the provisions of the Code of Criminal Procedure with respect to cognizable offences shall apply to them.

CHAPTER III.

EXEMPTIONS AND LICENSES.

Power to notify exemptions.

17. (1) The Government may, by notification and subject to such conditions as it thinks fit, exempt any specified liquor or intoxicating drug or article containing such liquor or drug from the observance of all or any of the provisions of this Act on the ground that such liquor, drug or article is required for a medicinal, scientific, industrial or such like purpose.

(2) When issuing a notification under sub-section (1), the Government shall have power to provide that a breach of any of the conditions subject to which the exemption is notified shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Authorities for *bona fide* religious purposes.

18. The Government shall make suitable provision for issuing "Authorities" to persons and institutions for the possession and use of such liquor as may be required by them for any *bona fide* religious purposes in accordance with ancient customs, under such terms and conditions, and penalties for infringement, as may be prescribed.

Exemption of *bona fide* travellers and lawful consignments.

19. Until the Government by notification otherwise directs the provisions of this Act shall not be deemed to apply—

(*a*) to liquor in the possession of *bona fide* travellers for their own personal use while passing through any local area in which this Act is in force; or

(*b*) to lawful consignments of liquor or intoxicating drugs carried through or into any such local area.

Exemption of armed forces.

20. (1) The Government may, by notification and subject to such conditions as it thinks fit, exempt members of the Mysore State Forces or of the armed forces raised and maintained by the Government of India or attached to or operating with any of its armed forces, and the

members of the medical or other staff attached to any of the forces aforesaid, from all or any of the provisions of this Act.

(2) When issuing a notification under sub-section (1) the Government shall have power to provide that a breach of any of the conditions subject to which the exemption is notified shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

Licenses for *bona fide* medicinal or other purposes.

21. The Government or subject to the control of the Government, the Deputy Commissioner may issue licenses to any person or in respect of any institution whether under the management of Government or not, for the manufacture, export, import, transport, sale, or possession of any liquor, intoxicating drug or article containing such liquor or drug, on the ground that such liquor, drug or article is required by such person or in respect of such institution for a *bona fide* medicinal, scientific, industrial or such like purpose.

Licenses for tapping for sweet toddy, etc.

22. Subject to the control of Government, the Deputy Commissioner or any officer empowered by him may issue—

(*a*) licenses for the tapping of any trees for sweet toddy for consumption thereof without fermentation or for the manufacture of jaggery therefrom; or

(*b*) permits for the possession, transport or sale of such toddy.

Permits and licenses.

23. The Government or any officer empowered by them in this behalf may issue—

(*a*) permits authorising any person to consume and possess for personal consumption any liquor or intoxicating drug;

(*b*) licenses to any institution to possess liquor and issue it to such of its members as hold permits under clause (*a*).

(*c*) licenses to any person in charge of a restaurant car attached to a railway train to possess liquor and serve it to *bona fide* passengers travelling by the train; and

(*d*) licenses to any person to possess liquor and issue it to those holding permits or licenses under this Act.

Form and conditions of licenses and permits.

24. Every license or permit granted under sections 21, 22 and 23 shall—

(1) be granted on payment of such fees, if any, for such period, and subject to such restrictions and limitations and on such conditions; and

(2) be in such form and contain such particulars as the Government may direct either generally or in any particular case.

Counterpart agreement to be executed by licensees.

25. Every person taking out any license or permit under sections 21, 22 or 23 may be required to execute a counterpart agreement in conformity with the tenor of his license or permit, and to give such security for the performance of his agreement as the Deputy Commissioner may require.

Powers to cancel or suspend licenses and permits.

26. (1) The Deputy Commissioner may cancel or suspend any such license or permit—

(*a*) if any fee payable by the holder thereof be not duly paid; or

(*b*) in the event of any breach by the holder of such license or permit or by his servants or by any one acting with his express or implied permission on his behalf, of any of the terms or conditions of such license or permits; or

(*c*) if the holder thereof is convicted of any offence against this Act, or of any cognizable and non-bailable offence; or

(*d*) if the conditions of such license or permit provide for its cancellation or suspension at will; or

(*e*) if the purpose for which the license or permit is granted ceases to exist.

(2) The Government may cancel or suspend any such license or permit without assigning the aforesaid or any other reasons.

Penalty for breach of the conditions of licenses and permit.

27. In the event of any breach by the holder of such license or permit or by his servants or by any one acting with his express or implied permission on his behalf, of any of the terms or conditions of such license or permit, such holder shall, in addition to the cancellation or suspension of the license or permit granted to him, be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both, unless he shall establish that all due and reasonable precautions were exercised by him to prevent any such breach.

Any person who commits any such breach shall, whether he acts with or without the permission of the holder of the license or permit, be liable to the same punishment.

CHAPTER IV.

ESTABLISHMENT AND CONTROL.

28. The Government may, from time to time, by notification— Appointment of officers and withdrawal of powers.

(*a*) appoint an officer to exercise all the powers of a Deputy Commissioner under this Act in all local areas in which it is in force and to have the control of the administration of the provisions of this Act in such areas;

(*b*) appoint any person other than the Deputy Commissioner of the District to exercise within a District all or any of the powers and to perform all or any of the duties of a Deputy Commissioner under this Act, either concurrently with or in exclusion of the Deputy Commissioner of the District, subject to such control as Government may from time to time direct;

(*c*) withdraw from the Commissioner or the Deputy Commissioner of the District any or all of the powers conferred on him by this Act;

(*d*) appoint paid or honorary officers with such designations, powers and duties as the Government may think fit;

(*e*) order that all or any of the powers and duties assigned to any person under clause (*d*) shall be exercised and performed by any existing Government official or any other person; and

(*f*) delegate to any Prohibition Officer all or any of its powers under this Act.

29. (1) The Government may appoint for every district a Prohibition Committee to assist the Deputy Commissioner or other Prohibition Officer in charge of the district in the administration of the Act, and to review generally and with reference to the work of Prohibition Committees constituted under clause (i) of sub-section (2) the progress of prohibition in the district. The members of the said Committee shall exercise such powers and perform such functions as the Government may by rules prescribe.

Prohibition Committees.

(2) (i) The Deputy Commissioner, or other Prohibition Officer in charge of a district may constitute Prohibition Committees one for every taluk or for a smaller area to assist him in carrying out the objects of this Act in the district,

(ii) Every member of a Prohibition Committee constituted under clause (i) shall observe the working of this Act in his taluk or area and report thereon and on every matter connected therewith at the prescribed intervals and at any other time he thinks fit, to the Deputy Commissioner or other Prohibition Officer aforesaid.

(3) Every member of a Prohibition Committee appointed under sub-section (1) or constituted under clause (i) of sub-section (2) shall be entitled to give information at any police station in his district, taluk or area, as the case may be, regarding the commission or suspected commission of any offence against this Act in such district, taluk or area, and the officer in charge of such station shall take action on such information and investigate the case in the manner laid down in the Code of Criminal Procedure.

Power of Government to authorise officers to admit persons arrested to bail.

30. The Government may, by notification, and subject to such conditions as may be prescribed in such notification, empower all or any of the officers or classes of officers or persons mentioned in Section 35 throughout Mysore or in any local area, to admit a person arrested under that section to bail to appear, when summoned or otherwise directed, before a Police or Prohibition Officer or Magistrate having jurisdiction to inquire into the offence for which such person has been arrested, and may cancel or vary such notification.

CHAPTER V.

POWERS, DUTIES AND PROCEDURE OF OFFICERS, ETC.

Issue of search warrants.

31. If any Deputy Commissioner, Prohibition Officer, or Magistrate upon information, obtained and after such inquiry as he thinks necessary has reason to believe that an offence under sub-section (1) of section 4 has been committed, he may issue a warrant for the search for any liquor, intoxicating drug materials, still, utensil, implement or apparatus in respect of which the alleged offence has been committed. Any person who has been entrusted with the execution of such a warrant may detain and search and if he thinks proper, arrest any person found in the place searched, if he has reason to

believe such person to be guilty of any offence under this Act:

Provided that every person arrested under this section shall be admitted to bail by the person arresting, if sufficient bail be tendered for his appearance either before a Magistrate or a Police or Prohibition Officer as the case may be.

Before issuing such warrant, the Deputy Commissioner, Prohibition Officer or Magistrate shall examine the informant on oath and the examination shall be reduced into writing in a summary manner and be signed by the informant, and also by the Deputy Commissioner, Prohibition Officer or Magistrate.

Powers of entry and search without warrant.

32. Whenever a Deputy Commissioner, any Prohibition Officer not below such rank as the Government may determine, any Police officer not below the rank of a Sub-Inspector, any officer in charge of a Police station or any other paid or honorary officer authorised by the Government in this behalf has reason to believe that an offence under sub-section (1) of section 4 has been committed and that the delay occasioned by obtaining a search warrant under Section 31 will prevent the execution thereof, he may, after recording his reasons and the grounds of his belief, at any time by day or night enter and search any place and may seize anything found therein which he has reason to believe to be liable to confiscation under this Act, and may detain and search and, if he thinks proper, arrest any person found in such place whom he has reason to believe to be guilty of any offence under this Act:

Provided that every person arrested under this section shall be admitted to bail by such officer as aforesaid if sufficient bail be tendered for his appearance either before a Magistrate or before a Police or Prohibition Officer as the case may be.

Power to enter and inspect places of manufacture and sale.

33. The Deputy Commissioner, any Prohibition Officer not below such rank as the Government may determine or any Police or other paid or honorary officer authorised by the Government in this behalf, may enter and inspect, at any time by day or by night, any place in which it is reasonably suspected that any person draws toddy or carries on the manufacture of any other liquor or any intoxicating drug, or stores any liquor or intoxicating drug, and may enter and inspect, at any time, any place in which any liquor or intoxicating drug is reasonably suspected to be kept for sale by any person; and may

examine, test, measure or weigh any material, still, utensil, implement, apparatus, liquor or intoxicating drug found in such place.

Power to use force in case of resistance to entry.

34. If any officer empowered to make an entry under Section 31, 32 or 33 cannot otherwise make such entry, it shall be lawful for him to break open any outer or inner door or window and to remove any other obstacles to his entry into any such place.

Arrest of offenders and seizure of contraband liquor and articles without warrant.

35. Any Prohibition Officer, any officer of the Police or Land Revenue Department, and any other person authorised in that behalf—

(*a*) may arrest without warrant any person found committing an offence punishable under sub-section (1) of Section 4;

(*b*) may seize and detain any liquor, drug or other article which he has reason to believe to be liable to confiscation under this Act; and

(*c*) may search any person, vessel, vehicle, animal, package, receptacle or covering, upon whom, or in or upon which, he may have reasonable cause to suspect any such liquor, drug or other article to be, or to be concealed:

Provided that if the officer or person making the arrest under this section be not empowered under Section 30 to admit to bail, the person arrested shall be forthwith forwarded to an officer so empowered, if such an officer is known to be within a distance of five miles from the place where such arrest took place. And it shall be the duty of such officer empowered as aforesaid to admit such person to bail if sufficient bail be tendered for his appearance before a Police or Prohibition Officer or Magistrate having jurisdiction to inquire into the case.

Arrest of persons refusing to give name or giving fals name.

36. Any person, who may be accused or reasonably suspected of committing an offence against this Act, and who on demand made by any Prohibition Officer or any Officer of the Police or Land Revenue Department or by any other person authorized in that behalf refuses to give his name and residence or who gives a name or residence which such officer or person has reason to believe to be false, may be arrested by such officer or person in order that his name and residence may be ascertained.

Searches how to be made.

37. All searches under the provisions of this Act shall be made in accordance with the provisions of the Code of Criminal Procedure.

38. Officials of all departments of the Government and of all local bodies shall be legally bound to assist any Prohibition or Police Officer in carrying out the provisions of this Act.

Duty of officials of all departments and local bodies to assist.

39. Every official employed by the Government or by any local body, other than a Police or Prohibition Officer, shall be bound to give immediate information at the nearest Police Station or to a Prohibition Officer, of all breaches of any of the provisions of this Act which may come to his knowledge, and all such officials shall be bound to take all reasonable measures in their power to prevent the commission of any such breaches which they may know or have reason to believe are about or likely to be committed.

Offences to be reported, etc.

40. All landholders, proprietors, tenants, under-tenants and cultivators who own or hold land or house property on or in which there shall be any tapping for toddy or manufacture of liquors or intoxicating drugs shall in the absence of reasonable excuse be bound to give notice of the same to a Magistrate or to a Prohibition Officer or to an officer of the Police or Land Revenue Departments immediately the same shall have come to their knowledge.

Landholders and others to give information.

41. (1) When any person is arrested under the provisions of Section 31, 32, 35 or 36, the person arresting him shall, unless bail shall have been accepted under the provisions of Section 31, 32, or 35, forthwith forward him to the nearest Police Station or to a Prohibition Officer, with a report of the circumstances under which such an arrest was made.

Persons arrested how to be dealt with.

(2) On such person being brought to a Police Station as aforesaid, the officer in-charge thereof shall either admit him to bail to appear when summoned before himself, or before the Prohibition Officer, if any, or any Police Officer within the limits of the jurisdiction of which Prohibition or Police Officer, the offence with which he is charged is suspected to have been committed, or in default of bail, shall forward him in custody to such officer.

Procedure of Police Station Officer.

(3) On any such person being brought in custody before a Prohibition or Police Officer as aforesaid or appearing before such officer, on bail or when such officer as aforesaid has himself made the arrest, such officer shall hold such inquiry as he may think necessary and shall either release such person, or forward him in custody to, or admit him to bail to appear before the Magistrate having jurisdiction to inquire into or try the case:

Procedure of Police or Prohibition Officer empowered to inquire.

Provided that if such inquiry is not commenced and completed on the day on which such person is arrested by or is brought or appears before such officer, he shall, if sufficient bail be tendered for the appearance of the person arrested, admit such person to bail to appear on any subsequent day before himself or any other officer having jurisdiction to inquire into the case.

Persons arrested to be admitted to bail.

42. It shall be the duty of any officer arresting any person under the powers conferred by Section 31 or 32 and of any officer in charge of a Police Station or any Police or Prohibition Officer before whom a person arrested is brought or appears under the provisions of Section 41 to release such person on bail if sufficient bail be tendered for his appearance before a Police or Prohibition Officer or before a Magistrate as the case may be.

Bond of accused and sureties.

43. (1) Before any person is released on bail, a bond in such sufficient but not excessive sum of money as the officer admitting him to bail thinks proper shall be executed by such person and by one or more sureties, conditioned that such person shall attend in accordance with the terms of the bond and shall continue to attend until otherwise directed by the Police or Prohibition Officer, before whom he was bailed to attend, or by the Magistrate, as the case may be:

Provided that the officer admitting any such person to bail may in his discretion dispense with the requirement of a surety or sureties to the bond executed by such person.

(2) The Government shall from time to time determine the form of the bond to be used in any local area.

Procedure in case of default of person admitted to a bail to appear before Prohibition Officer.

44. When by reason of default of appearance of a person bailed to appear before a Police or Prohibition Officer, such officer is of opinion that proceedings should be had to compel payment of the penalty or penalties mentioned in the bond of the person bailed or of the surety or sureties, he shall forward the bond to the Magistrate having jurisdiction to inquire into or try the offence of which the person bailed was accused, and the Magistrate shall proceed to enforce the payment of the penalty or penalties in the manner provided by the Code of Criminal Procedure, for the recovery of penalties in the like case of default of appearance by a person bailed to appear before his own Court.

45. Any Police or Prohibition Officer holding an inquiry in the manner provided in section 41 may summon any person to appear before himself to give evidence on such inquiry or to produce any document relevant thereto which may be in his possession or under his control:

Power of Police or Prohibition officers to summon witnesses.

Provided that no such officer shall so summon any person to appear before him if the journey to be made for complying with such summons exceeds ten miles by road or fifty miles by rail or such other limits as the Government may fix.

46. Every summons issued under section 45 shall state whether the person summoned is required to give evidence or to produce a document, or both, and shall require him to appear before the said officer at a stated time and place.

Terms of summons.

47. Persons so summoned shall attend as required and shall answer all questions relating to such inquiry put to them by such officer. Such answers shall be reduced to writing and shall be signed by such officer.

Examination of witnesses.

48. It shall be lawful for Police or Prohibition Officer instead of summoning to appear before him any person who, from sickness or other infirmity, may be unable to do, or who by reason of rank or sex, it may not be proper to summon, to proceed to the residence of such person and there to require him to answer such questions as he may consider necessary with respect to such inquiry; and such person shall be bound so to answer accordingly, and the provisions of section 47 shall apply to such answers.

When attendance of witnesses to be dispensed with, and procedure in such cases.

49. Any Police or Prohibition Officer may after recording his reasons in writing, summon any person to appear before him whom he has good reason to suspect of having committed an offence under this Act. On such person appearing before such officer, the procedure prescribed by sections 41 to 48 shall become applicable.

Power of Police or Prohibition Officer to summon suspected persons.

The officer may also, if he considers it necessary for the investigation of the case, exercise the powers conferred by sections 45 to 48 before summoning the person suspected.

50. The law for the time being in force as to summonses and compelling the attendance of persons summoned in criminal courts shall, so far as the same may be applicable, apply to any summons issued by a Police or Prohibition Officer and to any person summoned by him to appear under the provisions of this Act.

Law relating to criminal courts as to summoning of witnesses to apply.

Report of Police or Prohibition Officer to give jurisdiction to competent Magistrate.

51. When a Police or Prohibition Officer forwards in custody any person accused of an offence under this Act to the Magistrate having jurisdiction to inquire into or try the case, or admits any such person to bail to appear before such Magistrate, such officer shall also forward to such Magistrate a report setting forth the name of the accused person and the nature of the offence with which he is charged and the names of the persons who appear to be acquainted with the circumstances of the case, and shall send to such Magistrate any article which it may be necessary to produce before him. Upon receipt of such report the Magistrate shall inquire into such offence and try the person accused thereof in like manner as if complaint had been made before him as prescribed in the Code of Criminal Procedure.

Powers of Police and Prohibition Officers to cause attendance of witnesses before Magistrate.

52. When a Police or Prohibition Officer forwards in custody any person accused of an offence against this Act to the Magistrate having jurisdiction to inquire into or try the case, or admits him to bail to appear before such Magistrate, such officer shall exercise all the powers conferred by the Code of Criminal Procedure, on an officer in charge of a police station in respect to causing the appearance before such Magistrate of such persons acquainted with the facts and circumstances of the case as he considers it necessary that such Magistrate shall examine as witnesses for the prosecution of such case.

Accused not to be detained in custody for a longer period than twenty-four hours without special authority.

53. No person accused or suspected of having committed an offence under this Act shall be detained for a longer period than under all the circumstances of the case is reasonable; and such period shall not, in the absence of the special order of a Magistrate, whether having jurisdiction to try the case or not, exceed twenty-four hours, exclusive of the time necessary for the journey of such person to the place where a Police or Prohibition Officer may be and from thence to the Court having jurisdiction to try the case.

Police to take charge of articles seized.

54. All officers in charge of police stations shall take charge of and keep in safe custody pending the orders of a Magistrate or of a Prohibition Officer, all articles and seized under this Act which may be delivered to them; and shall allow any Prohibition Officer who may accompany such articles to the police station, or who may be deputed for the purpose by his superior officer, to affix his seal to such articles and to take samples of and from them. All samples so taken

shall also be sealed with the seal of the officer in charge of the police station.

55. The District Magistrate shall have power to transfer any case under this Act pending inquiry or trial before any Magistrate or officer in the district to any other Magistrate or officer therein.

Power of District Magistrate to transfer cases.

56. Nothing contained in this Act, shall affect the operation of the Code of Criminal Procedure.

Operation of Code of Criminal Procedure.

CHAPTER VI.

RULES AND NOTIFICATIONS.

Power to make rules.

57. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provisions, the Government may make rules—

(*a*) for the issue of licenses and permits and the enforcement of the conditions thereof;

(*b*) prescribing the powers to be exercised and the duties to be performed by paid and honorary Prohibition Officers in furtherance of the objects of the Act;

(*c*) determining the local jurisdiction of Police and Prohibition Officers in regard to inquiries and the exercise of preventive and investigating powers;

(*d*) authorising any officer or person to exercise any power or perform any duty under this Act;

(*e*) prescribing the powers and duties of district, taluk and area prohibition committees and the members thereof and the intervals at which the members of taluk and area prohibition committees shall make their reports;

(*f*) regulating the delegation by the Commissioner or by the Deputy Commissioners or other District Officers of any powers conferred on them by or under this Act;

(*g*) regulating the cultivation of the hemp and cocoa plants, the collection of those portions of such plants from which intoxicating drugs can be manufactured and the manufacture of such drugs therefrom;

(*h*) declaring how denatured spirit shall be manufactured;

(*i*) declaring in what cases or classes of cases and to what authorities appeals shall lie from

orders, whether original or appellate, passed under this Act or under any rule made thereunder, or by what authorities such orders may be revised, and prescribing the time and manner of presenting appeals, and the procedure for dealing therewith;

(*j*) for the grant of batta to witnesses and of compensation for loss of time to persons released under sub-section (3) of section 41 on the ground that they have been improperly arrested, and to persons charged before a Magistrate with offences under this Act and acquitted;

(*k*) regulating the power of Police and Prohibition Officers to summon witnesses from a distance under section 45; and

(*l*) for the disposal of articles confiscated and of the proceeds thereof.

Publication of rules and notifications.

58. All rules made and notifications issued under this Act shall be published in the Official Gazette and upon such publication shall have effect as if enacted in this Act.

CHAPTER VII.

LEGAL PROCEEDINGS.

Actions against the Government, etc.

59. No actions shall lie against the Government or against any Prohibition, Police or other Officer, for damages in any Civil Court for any act *bona fide* done or ordered to be done in pursuance of this Act.

Courts to take Judicial notice of appointments.

60. All courts shall take judicial notice of all notifications and orders conferring powers, imposing duties and making appointments under this Act.

SCHEDULE.

(*See section 2.*)

Number	*Short title or subject*	*Extent of repeal.*
V.	The Mysore Excise Act, 1901 ...	The whole
IV.	The Mysore Excise (Amendment) Act, 1902 ...	,,
V.	Do do 1904 ...	,,
V.	Do do 1906 ...	,,
VIII.	Do do 1913 ...	,,
V.	Do do 1920 ...	,,
III.	Do do 1923 ...	,,
I.	The Excise Regulation, 1915, as continued by the Retrocession (Application of Laws) Act, 1947.	

A. RAMASWAMI MUDALIAR,
Dewan.

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(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, FRIDAY, JULY 23, 1948.

NOTIFICATIONS.

Order No. R. L. 159—Legis. 8-48-1, dated Bangalore, the 23rd July 1948.

Ordered that the accompanying Matches (Excise Duty) (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 16th day of July 1948, be published as Act No. XXXVIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XXXVIII OF 1948.

THE MATCHES (EXCISE DUTY) (AMENDMENT) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 16th day of July 1948.)

An Act further to amend the Matches (Excise Duty) Act, 1934.

WHEREAS it is expedient further to amend the Matches (Excise Duty) Act, 1934, for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Matches (Excise Duty) (Amendment) Act, 1948.

(2) It shall come into force at once.

Amendment of section 4 of Act III of 1934.

2. For section 4 of the Matches (Excise Duty) Act, 1934 (III of 1934), the following section shall be substituted, namely:—

"4. The duty payable under section 3 shall be levied at the following rates, namely:—

(*a*) on matches in boxes or booklets containing on an average not more than eighty—

(1) manufactured in a factory whose daily output exceeds one hundred gross of boxes in boxes or booklets containing on an average—

(i) not more than 50 matches.	Two rupees and eight annas.	Per gross of boxes or booklets.
(ii) more than 50 but not more than 60 matches.	Three rupees.	
(iii) more than 60 but not more than 80 matches.	Four rupees.	

(2) manufactured in a factory whose daily output does not exceed one hundred gross of boxes, in boxes or booklets containing on an average—

(i) not more than 50 matches.	Two rupees and seven annas.	Per gross of boxes or booklets.
(ii) more than 50 but not more than 60 matches.	Two rupees fourteen annas and nine pies.	
(iii) more than 60 but not more than 80 matches.	Three rupees fourteen annas and four pies.	

(*b*) on all other matches at such rates as the Government may prescribe."

3. The Matches (Excise Duty) (Amendment) (Emergency) Act, 1948 (XVI of 1948), is hereby repealed. Repeal and savings.

But anything done, and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 29th day of February 1948.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 160—Legis. 9-48-1, dated Bangalore, the 23rd July 1948.

Ordered that the accompanying Tobacco (Excise Duty) (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 16th day of July 1948, be published as Act No. XXXIX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XXXIX OF 1948.

THE TOBACCO (EXCISE DUTY) (AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 16th day of July 1948.*)

An Act further to amend the Tobacco (Excise Duty) Act, 1943.

WHEREAS it is expedient further to amend the Tobacco (Excise Duty) Act, 1943 (XXVI of 1943), for the purposes hereinafter appearing; Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the Tobacco (Excise Duty) (Amendment) Act, 1948. Short title and commencement.

(2) It shall come into force at once.

Amendment of the schedule to Act No. XXVI of 1943.

2. In the schedule to the Tobacco (Excise Duty) Act, 1943:—

(a) Under "I Unmanufactured Tobacco"—

(i) for item 2 (b) the following item shall be substituted, namely:—

"(b) any purpose other than the manufacture of cigarettes or of the products enumerated in 3 (a) and 3 (b) ... Twelve annas"

(ii) for item (3) the following item shall be substituted, namely:—

"(3) whether flue-cured or not, if intended for—

(a) manufacture into—

(i) beedies	...	Twelve annas
(ii) snuff	...	Do
(iii) cigars and cheroots	...	Four annas
(iv) hookah tobacco	...	Do
(b) sale as chewing tobacco whether manufactured or merely cured	...	Do
(c) agricultural purposes ...	...	Nil"

(b) Under item "II. Manufactured Tobacco" the entry "Cigars and cheroots of which the value" shall be numbered as (1) and at the end of the entry as so numbered, the following entry shall be added, namely:—

"(2) Cigarettes of which the value—

		Per thousand.
(i)	exceeds Rs. 50 a thousand ...	Twelve rupees and eight annas.
(ii)	exceeds Rs. 40 a thousand but does not exceed Rs. 50 a thousand.	Ten rupees
(iii)	exceeds Rs. 30 a thousand but does not exceed Rs. 40 a thousand.	Seven rupees and eight annas.
(iv)	exceeds Rs. 25 a thousand but does not exceed Rs. 30 a thousand.	Six rupees and four annas.
(v)	exceeds Rs. 20 a thousand but does not exceed Rs. 25 a thousand.	Five rupees
(vi)	exceeds Rs. 15 a thousand but does not exceed Rs. 20 a thousand.	Three rupees and twelve annas.
(vii)	exceeds Rs. 10 a thousand but does not exceed Rs. 15 a thousand.	Two rupees and eight annas.
(viii)	does not exceed Rs. 10 a thousand ...	One rupee and four annas."

Repeal and savings.

3. The Tobacco (Excise Duty) (Amendment) (Emergency) Act, 1948 (XVII of 1948), is hereby repealed.

But anything done and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act had commenced on the 29th day of February 1948.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 161—Legis. 10:48-1; dated Bangalore, the 23rd July 1948.

Ordered that the accompanying Vegetable Product (Excise Duty) (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 16th day of July 1948, be published as Act No. XL of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XL OF 1948.

THE VEGETABLE PRODUCT (EXCISE DUTY) (AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 16th day of July 1948.*)

An Act to amend the Vegetable Product (Excise Duty) Act, 1943 (XXVII of 1943).

WHEREAS it is expedient to amend the Vegetable Product (Excise Duty) Act, 1943, for the purposes hereinafter appearing; Preamble.

It is hereby enacted as follows:—

1. (1) This Act may be called the Vegetable Product (Excise Duty) (Amendment) Act, 1948. Short title and commencement.

(2) It shall come into force at once.

2. In section 3 of the Vegetable Product (Excise Duty) Act, 1943, for the words "five rupees"; the words "seven rupees" shall be substituted. Amendment of section 3 of Act XXVII of 1943.

3. (1) The Vegetable Product (Excise Duty) (Amendment) (Emergency) Act, 1948 (XVIII of 1948), is hereby repealed. Repeal and savings.

But anything done and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 29th day of February 1948.

(2) Notwithstanding anything contained in the Vegetable Product (Excise Duty) (Amendment) (Emergency) Act, 1948 (XVIII of 1948), the duty of excise, in excess of the duty of seven rupees per cwt., levied and collected under the said Act from the 29th day of February 1948, shall be refunded to the person from whom such duty was collected.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 162—Legis. 11-48-1, dated Bangalore, the 23rd July 1948.

Ordered that the accompanying Betel-nuts, Coffee and Tea (Excise Duties) (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 16th day of July 1948, be published as Act No. XLI of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. XLI OF 1948.

THE BETEL-NUTS, COFFEE AND TEA (EXCISE DUTIES) (AMENDMENT) ACT, 1945.

(*Received the assent of His Highness the Maharaja on the 16th day of July* 1948.)

An Act further to amend the Betel-nuts, Coffee and Tea (Excise Duties) Act, 1945.

Preamble.

WHEREAS it is expedient further to amend the Betel-nuts, Coffee and Tea (Excise Duties) Act, 1945 (XXI of 1945) for the purposes hereinafter appearing;

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Betel-nuts, Coffee and Tea (Excise Duties) (Amendment) Act, 1948.

(2) It shall come into force at once.

2. For sub-section (1) of section 1 of the Betel-nuts, Coffee and Tea (Excise Duties) Act, 1945 (XXI of 1945) (hereinafter referred to as the said Act), the following sub-section shall be substituted, namely :— Amendment of section 1 of Act XXI of 1945.

"(1) This Act may be called the Coffee and Tea (Excise Duties) Act, 1945."

3. In the said Act, the words "betel-nuts" and "betel-nuts cured" wherever they occur shall be omitted. Omission of certain words in Act XXI of 1945.

4. In section 2 of the said Act, clause (*a*) shall be omitted and clauses (*b*), (*c*), (*d*), (*e*), (*f*), (*g*), (*h*) and (*i*) shall be relettered as clauses (*a*), (*b*), (*c*), (*d*), (*e*), (*f*), (*g*) and (*h*), respectively. Amendment of section 2 of Act XXI of 1945.

5. For section 3 of the said Act, the following section shall be substituted namely :— Amendment of section 3 of Act XXI of 1945.

"3. There shall be levied and collected in such manner as may be prescribed duties of excise at the rate of three annas per lb. on all coffee cured and on all tea manufactured in Mysore."

6. In section 5 of the said Act, for the words "no person shall engage in the curing of betel-nuts or coffee or in the wholesale purchase or sale of these articles," the words "no person shall engage in the curing of coffee or in the wholesale purchase or sale of coffee" shall be substituted. Amendment of section 5 of Act XXI of 1945.

7. (1) The Betel-nuts, Coffee and Tea (Excise Duties) (Amendment) (Emergency) Act, 1948 (XIX of 1948) is hereby repealed. Repeal and savings.

But any rule made, anything done, and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been made, done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 29th day of February 1948.

(2) Notwithstanding anything contained in the Betel-nuts, Coffee and Tea (Excise Duties) (Amendment) (Emergency) Act, 1948 (XIX of 1948), the duties of excise in excess of the duties of three annas per lb. on all coffee cured and on all tea manufactured in Mysore, levied and collected under the said Emergency Act, from the 29th day of February 1948, shall be refunded to the person from whom such duties were collected.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 163—Legis. 12-48-1, dated Bangalore, the 23rd July 1948.

Ordered that the accompanying Central Excises and Salt (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 16th day of July 1948, be published as Act No. XLII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. XLII OF 1948.

THE CENTRAL EXCISES AND SALT (AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 16th day of July* 1948.)

An Act to amend the Central Excises and Salt Act, 1944.

Preamble.

WHEREAS it is expedient to amend the Central Excises and Salt Act, 1944 (I of 1944) as applied to the Retroceded Area and continued by the Retrocession (Application of Laws) Act, 1947 (XXIII of 1947), for the purposes hereinafter appearing;

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Central Excises and Salt (Amendment) Act, 1948.

(2) It shall come into force at once.

Amendment of the first schedule to Act I of 1944.

2. In the First Schedule to the Central Excises and Salt Act, 1944 (I of 1944)—

(*a*) For items 2 (1) and 2 (2), the following items shall be substituted :

"(1) Matches, manufactured in a factory whose daily output exceeds one hundred gross of boxes, in boxes or booklets containing on an average —

(i) Not more than fifty matches.	Two rupees and eight annas.	Per gross of boxes or booklets.
(ii) More than fifty but not more than sixty matches.	Three rupees ...	
(iii) More than sixty but not more than eighty matches.	Four rupees ...	

(2) Matches, manufactured in a factory whose daily output does not exceed one hundred gross of boxes, in boxes or booklets containing on an average—

(i) Not more than fifty matches.	Two rupees and seven annas.	Per gross of boxes or booklets.
(ii) More than fifty but not more than sixty matches.	Two rupees fourteen annas and nine pies.	
(iii) More than sixty but not more than eighty matches.	Three rupees fourteen annas and four pies."	

(*b*) For items 9 I (2) (b) and 9 I(3) the following items shall be substituted :—

"(2) (b) any purpose other than the manufacture of cigarettes or of the products enumerated in (3) (a) and (3) (b)."	Twelve annas
"(3) whether flue-cured or not, if intended for—	
(a) manufacture into—	
(i) beedies ...	Twelve annas
(ii) snuff ...	Twelve annas
(iii) cigars and cheroots ...	Four annas
(iv) hookh tobacco	Four annas
(b) sale as chewing tobacco, whether manufactured or merely cured.	Four annas
(c) agricultural purposes ...	Nil"

(*c*) In item 9 II, Manufactured tobacco—

(a) the entry "cigars and cheroots of which the value" shall be numbered as (1);

(b) at the end of entry (1) as renumbered, the following entries shall be inserted :—

"(2) Cigarettes of which the value—	*Per thousand.*
(i) exceeds Rs. 50 a thousand ...	Twelve rupees and eight annas.
(ii) exceeds Rs. 40 a thousand but does not exceed Rs. 50 a thousand.	Ten rupees
(iii) exceeds Rs. 30 a thousand but does not exceed Rs. 40 a thousand.	Seven rupees and eight annas.
(iv) exceeds Rs. 25 a thousand but does not exceed Rs. 30 a thousand.	Six rupees and four annas.
(v) exceeds Rs. 20 a thousand but does not exceed Rs. 25 a thousand.	Five rupees
(vi) exceeds Rs. 15 a thousand but does not exceed Rs. 20 a thousand.	Three rupees and twelve annas.
(vii) exceeds Rs. 10 a thousand but does not exceed Rs. 15 a thousand.	Two rupees and eight annas.
(viii) does not exceed Rs. 10 a thousand.	One rupee and four annas."

(*d*) In item 10, "Tyres," for the entry under column for "Rate of duty" the entry "Fifteen per cent *ad valorem*" shall be substituted.

(*e*) In item 11, "Vegetable product," for the entry under column for "Rate of duty" the entry "seven rupees per cwt." shall be substituted.

(*f*) Item 12, "Betel-nut" shall be deleted.

(*g*) In item 13, "Coffee"—

(i) for the entry "13" under column for "Item No." the entry "12" shall be substituted; and

(ii) for the entry under column for "Rate of duty" the entry "three annas per lb." shall be substituted.

(*h*) In item 14, "Tea"—

(i) for the entry "14" under column for "Item No." the entry "13" shall be substituted; and

(ii) for the entry under column for "Rate of duty" the entry "three annas per lb." shall be substituted.

Repeal and savings.

3. (1) The Central Excises and Salt (Amendment) (Emergency) Act, 1948 (XX of 1948), is hereby repealed.

But anything done, and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act, as if this Act had commenced on the 29th day of February 1948.

(2) Notwithstanding anything contained in the Central Excises and Salt (Amendment) (Emergency) Act, 1948 (XX of 1948), the duties of excise, in excess of seven rupees per cwt., on Vegetable Product and three annas per lb. on coffee and tea levied and collected under the said Act from the 29th day of February 1948, shall be refunded to the person from whom such duties were collected.

A. RAMASWAMI MUDALIAR,

Dewan.

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d. No. M. 1175

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(SUPPLEMENTAL)

BANGALORE, THURSDAY, AUGUST 5, 1948.

LAW SECRETARIAT.

Dated 5th August 1948.

No. R. L. 313—E. C. 8-48-2. WHEREAS a vacancy has arisen in the University Special Constituency of the Legislative Council, consequent on the sitting member having incurred disqualification to continue as a member of the aforesaid Chamber, under the provisions of clause (*a*) of sub-section (1) of Section 20 of the Government of Mysore Act, 1940—

Now, therefore, in pursuance of the provisions of rules 65, 66 and 109 of the Legislative Council Rules, 1940, the Government of His Highness the Maharaja, are hereby pleased :—

(*a*) to call upon the said constituency to elect one member to the Legislative Council in accordance with the said rules, before 10th October 1948, and

(*b*) to appoint the following dates for the several stages of election:—

BYE-ELECTION, 1948.

1	Presentation of the Notice of candidature in the Office of the Returning Officer (Registrar, University of Mysore, Mysore).	Thursday, 26th August 1948 (before 3 P.M.)
2	Scrutiny of the Notice of Candidature ...	Monday, 30th August 1948.
3	Withdrawal of the Notice of Candidature ...	Tuesday, 31st August 1948 (before 3 P.M.)
4	Last date for sending a declaration paper and a ballot paper (voting papers) by post to each elector by the Returning Officer.	Monday, 20th September 1948.
5	Poll	Thursday, 30th September 1948.

Dated 5th August 1948.

No. R. L. 315—L. C. 8-48-3. Under the provisions of rule 109 of the Legislative Council Rules, 1940, the Government of His Highness the Maharaja are pleased to direct that in respect of the University Special Constituency for the Legislative Council, for which a bye-election is directed to be held under Notification No. R. L. 313—L. C. 8-48-2, dated 5th August 1948, *Monday, 20th September* 1948, shall be the date, on or before which the Returning Officer of the aforesaid Constituency shall send by post a declaration paper and a ballot paper (voting papers) to each elector to the address entered against his name in the electoral roll.

3515a

Dated 5th August 1948.

No. R. L. 317—L. C. 8-48-4. The calendar of events relating to the bye-election to the Legislative Council from the University Constituency is hereby published for general information :—

BYE-ELECTION, 1948.

1.	Presentation of the Notice of candidature in the office of the Returning Officer, (Registrar, University of Mysore).	Thursday, 26th August 1948 (before 3 P.M.)
2.	Scrutiny of the Notice of candidature ...	Monday, 30th August 1948.
3.	Withdrawal of the Notice of candidature...	Tuesday, 31st August 1948 (before 3 P.M.)
4.	Publication of the final list of candidates...	Tuesday, 31st August 1948 (5 P.M.)
5.	Last date for sending a declaration paper and a ballot paper by post to each elector by the Returning Officer.	Monday, 20th September, 1948.
6.	Poll	Thursday, 30th September, 1948.

S. KANAKARATNARAJ,

3515 *Legal Rembrcer. and Law Secy.*

Printed by the Superintendent at the Government Press, Bangalore.

Reg. No. M. 1175

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EXTRAORDINARY

BANGALORE, MONDAY, AUGUST 9, 1948.

NOTIFICATIONS.

Order No. R. L. 332—Legis. 24-48-1, dated Bangalore, 9th August 1948.

Ordered that the accompanying Mysore District Boards (Third Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of July 1948, be published as Act No. LIV of 1948, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LIV OF 1948.

THE MYSORE DISTRICT BOARDS (THIRD AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 30th day of July* 1948.)

An Act Further to Amend the Mysore District Boards Act, 1926.

WHEREAS it is expedient further to amend the Mysore District Boards Act, 1926, for the purposes hereinafter appearing :

It is hereby enacted as follows :—

1. (1) This Act may be called the Mysore District Boards (Third Amendment) Act, 1948. **Short title and commencement.**

(2) It shall come into force at once.

Amendment of sections 19, 29 and 77 of Act III of 1926.

2. In clause (*d*) of section 19, sub-section (4) of section 29 and sub-section (2) of section 77 of the Mysore District Boards Act, 1926, the words "through the Deputy Commissioner" shall be omitted.

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 333—Legis. 25-48-1, Bangalore, dated 9th August 1948.

Ordered that the accompanying Mysore District Boards (Fourth Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of July 1948, be published as Act No. LV of 1948, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LV OF 1948.

THE MYSORE DISTRICT BOARDS (FOURTH AMENDMENT) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 30th day of July* 1948.)

An Act Further to Amend the Mysore District Boards Act, 1926.

WHEREAS it is expedient further to amend the Mysore District Boards Act, 1926 (III of 1926);

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore District Boards (Fourth Amendment) Act, 1948.

(2) It shall come into force at once.

Amendment of section 45, Act III of 1926.

2. After clause (*d*) of sub-section (2) of section 45 of the Mysore District Boards Act, 1926, the following clause shall be inserted, namely,—

"(*dd*) with the sanction of the Government, undertake the establishment and maintenance of High Schools

or contribute towards the establishment and maintenance by Government or any other authority, whether public or private, of High Schools within the area under the jurisdiction of the District Boards."

A. RAMASWAMI MUDALIAR,
Dewan.

Order No. R. L. 334—Legis. 26-48-1, dated Bangalore, 9th August 1948.

Ordered that the accompanying Mysore Electricity (Amendment) Act, 1948, which received the assent of His Highness the Maharaja, on the 30th day of July 1948, be published as Act No. LVI of 1948, in the *Mysore Gazette*, for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LVI OF 1948.

THE MYSORE ELECTRICITY (AMENDMENT) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 30th day of July 1948.)

An Act to Amend the Mysore Electricity Act, 1944.

WHEREAS it is expedient to amend the Mysore Electricity Act, 1944 (XXXVI of 1944), for the purposes hereinafter appearing;

It is hereby enacted as follows:—

1. This Act may be called the Mysore Electricity (Amendment) Act, 1948. Short title.

2. For the words "General Superintendent" wherever they occur in the Mysore Electricity Act, 1944 (hereinafter referred to as the said Act), the words "Chief Electrical Engineer" shall be substituted. Substitution of the words "Chief Electrical Engineer" for the words "General Superintendent" in Act XXXVI of 1944.

Amendment of section 12, Act XXXIV of 1944.

3. In clause (d) of sub-section (1) of section 12 of the said Act, after the word "meters" the words "meter seals" shall be inserted.

Amendment of section 18, Act XXXVI of 1944.

4. In sub-section (3) of section 18 of the said Act, for the words "fraudulent interference of the meter by the consumer" the words "fraudulent interference by the consumer of the meter or meter seals of the Department" shall be substituted.

Amendment of section 47, Act XXXVI of 1944.

5. For the word and figures "section 47" wherever they occur in section 47 of the said Act, the word and figures "section 46" shall be substituted.

A. RAMASWAMI MUDALIAR,
Dewan.

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(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, SATURDAY, AUGUST 14, 1948.

NOTIFICATION

Order No. R. L. 445—Legis., 28-48-1, Bangalore, dated the 14th August 1948.

Ordered that the accompanying Mysore Maintenance of Public Order Act, 1948, which received the assent of His Highness the Maharaja, on the seventh day of August 1948, be published as Act No. LVIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LVIII OF 1948.

THE MYSORE MAINTENANCE OF PUBLIC ORDER ACT, 1948.

(*Received the assent of His Highness the Maharaja on the seventh day of August 1948.*)

An Act to provide for the Control of meetings and processions, prevention of prejudical acts and certain other purposes.

WHEREAS for the maintenance of public safety and to prevent and put down disorders involving menace to the peace and tranquillity of Mysore, it is necessary to provide for the control of meetings and processions, prevention of prejudicial acts and certain other purposes:

It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Mysore Maintenance of Public Order Act, 1948.

Short title, extent, commencent and duration.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

(4) It shall remain in force for a period of one year; but the Government may, from time to time, by notification in the Official Gazette, extend the continuance of this Act for a further period or periods not exceeding one year in the aggregate, if in their opinion it is expedient so to do. Upon the expiry of this Act, the provisions of section 6 of the General Clauses Act, 1899, shall apply as if this Act had been repealed by an Act.

Definitions.

2. In this Act unless there is anything repugnant to the subject or context,—

(1) "Code of Criminal Procedure" means with reference to the Retroceded Area, the Code of Criminal Procedure, 1898, as applied to that area and continued by the Retrocession (Application of Laws) Act, 1947, and with reference to the rest of Mysore, the Code of Criminal Procedure, 1904.

(2) "document" includes gramophone records, sound tracks and any other articles on which sounds have been recorded with a view to their subsequent reproduction.

(3) "essential commodity" means food, water, fuel, light, power or any other thing essential for the existence of the community which may be notified in this behalf by the Government in the Official Gazette.

(4) "prejudicial act" means any act which is intended or is likely—

(*a*) to cause disaffection among, or to prejudice, prevent or interfere with the discipline, health or training of, or the performance of their duties by, public servants;

(*b*) to render any public servant incapable of efficiently performing his duties as such or to induce any public servant to fail in the performance of his duties as such;

(*c*) to prejudice the recruiting of, or the attendance of persons for service in, any of the forces of His Highness the Maharaja, or any police force, or fire brigade or any other body of persons entered, enrolled or engaged as public servants;

(*d*) to bring into hatred or contempt, or to excite disaffection towards His Highness the Maharaja, or the Government established by law in Mysore or in the Dominion of, or in any Province in India;

(*e*) to promote feelings of enmity and hatred between different classes of the subjects of His Highness the Maharaja;

(*f*) to cause fear or alarm to the public or to any section of the public;

(*g*) to impede, delay or restrict the means of transport or locomotion or any work necessary for the supply or distribution of any essential commodity;

(*h*) to cause, or produce, or to instigate or incite directly or indirectly, the cessation of work by a body of persons employed in any place of employment in which fifty persons or more are normally employed, except in furtherance of a trade dispute, as defined (with reference to the Retroceded Area) in the Trade Disputes Act, 1929, as applied to the said area and continued by the Retrocession (Application of Laws) Act, 1947, or an industrial dispute, as defined (with reference to the rest of Mysore) in the Mysore Labour Act, 1942, with which such body of persons is directly concerned;

(*i*) to influence the conduct or attitude of the public, or of any section of the public, in a manner likely to be prejudicial to public safety or the maintenance of public order;

(*j*) to instigate, directly or indirectly, the use of criminal force against public servants generally, or any class of public servants or any individual public servant.

(4*a*) "Protected area" means an area declared under section 8A to be a protected area.

(5) "prejudicial report" means any report, statement or visible representation, whether true or false, which,

or the publishing of which, is, or is an incitement to the commission of, a prejudicial act.

(6) "public servant" includes any public servant as defined in the Indian Penal Code and any servant of any local authority.

(7) "Retroceded Area" means the retroceded area as defined in the Retrocession (Application of Laws) Act, 1947.

Effect of provisions inconsistent with other enactments.

3. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

CHAPTER II.

PUBLIC SAFETY AND ORDER.

Control of processions, meetings, etc.

4. (1) The District Magistrate may, for the purpose of securing public safety or the maintenance of public order, by general or special order, prohibit, restrict or impose conditions upon the holding of, or taking part in, public processions, meetings or assemblies.

(2) For the purposes of sub-section (1) any procession, meeting or assembly which is open to the public, or to any class or portion of the public, whether held in a public or a private place and whether admission thereto is restricted by the issue of tickets or otherwise, shall be deemed to be a public procession, meeting or assembly, as the case may be.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Unlawful drilling.

5. (1) The Government may, by general or special order, prohibit or restrict in any area any such exercise, movement, evolution or drill of a military nature as may be specified in the order.

(2) The Government may, by general or special order, with a view to securing that no exercise, movement, evolution or drill of a military nature is performed at any place, prohibit, restrict or impose conditions upon the holding of, or taking part in, any such camp, parade, meeting or assembly, as may be specified in the order.

(3) If any person contravenes any order made under this section, he shall be punishable with imprison-

ment for a term which may extend to three years, or with fine, or with both.

Official uniforms.

6. (1) If the Government is satisfied that—

(a) the wearing in public of any dress or article of apparel resembling any uniform, or part of uniform, required to be worn by a member of the forces of His Highness the Maharaja, or by a member of any official police force or of any force constituted under any law for the time being in force;

(b) the wearing or display in public of any distinctive dress, or article of apparel, or any emblem, would be likely to prejudice the public safety or the maintenance of public order,

the Government may, by general or special order, prohibit, or restrict the wearing or display in public of any such dress, article of apparel or emblem.

(2) For the purposes of this section, a dress, an article of apparel or an emblem shall be deemed to be worn or displayed in public if it is worn or displayed so as to be visible to a person in any place to which the public have access.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Curfew

7. (1) The District Magistrate, whenever it appears to him to be necessary to ensure public safety or the maintenance of public order, may by order direct that subject to any specified exemption,—

(a) no person present within any specified area shall, between such hours as may be specified, be out of doors except under the authority of a written permit granted by a specified authority or person;

(b) no person within a specified area shall put up any barricade or any obstruction across, or in any public road, or public place or part thereof.

(2) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Proclamation of emergency and power of District Magistrate to use force in certain circumstances.

8. (1) The Government may, if satisfied that the public peace or tranquillity in Mysore, or in any part thereof, is disturbed, or is likely to be disturbed, in consequence of a conflict, or apprehended conflict, between different communities, or sections, or factions or gangs, declare by a proclamation (hereinafter referred to as a Proclamation of Emergency) in the official Gazette that an emergency exists either in Mysore or in any such part thereof as is specified in the Proclamation.

(2) A Proclamation of Emergency may, at any time, be revoked by a subsequent proclamation.

(3) The provisions of this section shall be operative during the continuance of a Proclamation of Emergency and in such part of Mysore in which by the Proclamation the emergency is stated to exist.

(4) The cessation of any Proclamation of Emergency shall not—

(*a*) affect any liability incurred under the provisions of this section, or any punishment incurred in respect of any contravention of the said provisions or of any order made thereunder;

(*b*) affect any investigation or legal proceeding in respect of any such liability or punishment as aforesaid; and any such investigation or legal proceeding may be instituted, continued or enforced and any such punishment may be imposed as if the provisions of this section had not ceased to be operative.

(5) Subject to the general orders of the Government, any Magistrate, or any police officer not below the rank of a Sub-Inspector or any member of the State Forces not below the rank of a Subedar, authorised by the District Magistrate by general or special order in writing, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as such Magistrate, police officer or member of the State Forces may consider necessary, fire upon, order fire to be opened or otherwise use force or cause force to be used, even to the causing of death, against any person who—

(*a*) when an order under clause (*a*) of sub-section (1) of section 7 is in force is out of doors, and fails to halt when challenged by a police officer or a member of the State Forces; or

(*b*) contravenes or attempts to contravene an order under clause (*b*) of sub-section (1) of section 7; or

(*c*) does, or attempts to do or appears to be about to do any such act as would endanger or damage any property of any description whatsoever which it is the duty of any police officer or a member of the State Forces to protect; or

(*d*) does, or attempts to do or appears to be about to do any such act as would render him liable to punishment under Chapter XV or sections 302, 304, 325, 326, 380, 382, 386, 387, 392, 393, 394, 395, 399, 435 or 436 of the Indian Penal Code; or

(*e*) is acting in contravention of any order under section 4 prohibiting public meetings, processions or assemblies, or of any order under section 21 prohibiting the carrying of arms, explosive substances, corrosive substances or liquids, or anything capable of being used as a weapon of offence.

(6) The use of force against any person in pursuance of an order under sub-section (5) shall include the power to arrest and take into custody such person and the use of such force as may be necessary, even to the causing of death, in order to effect such arrest.

(7) (*a*) Whoever commits any offence punishable under any of the following sections of the Indian Penal Code, namely, 307, 363, 364, 365, 366, 367, 368, 376, 392, 394, 395, 397, 398 and 436, may, in lieu of the punishment to which he is liable under that Code, be punished with transportation for life.

(*b*) Whoever attempts to commit, or abets the commission of, any offence punishable under any section of the Indian Penal Code referred to in clause (*a*) may, notwithstanding anything contained in that Code, be punished with transportation for life or with the punishment provided in that section for the offence.

Protected Areas.

8A. (1) If the Government considers it necessary or expedient to regulate the entry of persons into any area, it may, by order, declare the area to be a protected area; and thereupon for so long as the said order is in force, such area shall be a protected area.

(2) On and after such day as may be specified in and subject to any exemptions for which provision may be made by an order made under sub-section (i) no person who was not at the beginning of the said day resident in the area declared to be a protected area by the said order, shall be therein, except in accordance with the terms of a permit in writing granted to him by an authority or person specified in the said order.

(3) Any Police Officer or any other person authorised in this behalf by the Government, may search any person entering or seeking to enter, or being or in, or leaving, a protected area, and any vehicle, aircraft or article brought in by such person, and may, for the purposes of the search, detain such person, vehicle, aircraft, and article.

Provided that no female shall be searched in pursuance of this sub-section except by a female.

(4) If any person is in a protected area in contravention of the provisions of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by or under the direction of any Police Officer, or any member of His Higness the Maharaja's forces on duty in the protected area.

(5) If any person is in a protected area in contravention of any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(6) Any person who effects or attempts to effect entry into a protected area—

(*a*) by using, or threatening to use, criminal force to any person posted for the purpose of protecting or of preventing or controlling access to, such place or area, or

(2) The Controller may, by order published in the official Gazette, issue a direction under sub-section (1) generally to all dealers in or producers of a particular article or particular articles.

(3) No dealer shall destroy, efface or alter or cause to be destroyed, effaced or altered any label or mark affixed to an article and indicating the price marked by a producer.

Powers of Controller, Inspector, etc.

13 (1) The Controller or an Inspector or an officer empowered in this behalf by the Government may—

(*a*) direct a dealer or producer to maintain records of sale and purchase transactions;

(*b*) direct a dealer or producer to furnish any information he may require as to the business carried on by such dealer or producer;

(*c*) direct a dealer or producer to furnish any information possessed by such dealer or producer as to the business carried on by any other person;

(*d*) inspect or cause to be inspected any books or other documents belonging to or under the control of any dealer or producer;

(*e*) enter and search any premises;

(*f*) seize or direct the seizure of any article in respect of which he suspects that an offence under this Act has been, is being or is about to be committed, and thereafter take or direct the taking of all measures necessary for securing the production of the article in a Court.

(2) The Controller may, by order published in the official Gazette, issue to all dealers or producers of a specified class a direction such as is referred to in clause (*a*) or clause (*b*) of sub-section (1).

(3) The Controller and such Inspectors and other officers as may be empowered by the Government in this behalf shall, within the respective areas for which they are appointed, have power to investigate all offences punishable under this Act and in conducting any such investigation shall, within the said areas, have all the powers, duties privileges and liabilities of an officer in charge of a Police Station under the Code of Criminal Procedure, 1904, when investigating a cognisable offence within the limits of his station.

Penalties.

14. (1) Whoever contravenes any of the provisions of this Act shall be punishable with imprisonment for a

term which may extend to five years, or with fine, or with both.

(2) Whoever fails to comply with any direction made under authority conferred by this Act shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

(3) A court convicting any person of an offence punishable under this Act, may order any article, in respect of which the offence was committed, to be forfeited to the Government.

(4) Notwithstanding anything to the contrary in clause (*a*) of sub-section (1) of section 32 of the Code of Criminal Procedure, 1904, a Magistrate of the First Class specially empowered by the Government in this behalf may impose a sentence of fine exceeding one thousand rupees for any offence punishable under this Act.

Right of buyer to avoid prohibited transactions or to recover excess price.

15. (1) Where any person has been convicted of the offence specified in sub-section (1) of section 6, then—

(*a*) if the prosecution was in respect of a sale, the buyer at that sale, and

(*b*) if the prosecution was in respect of a sale or an offer to sell or a disposal otherwise than by sale, the buyer under any sale of similar articles effected at the same or a higher price in the course of that business in contravention of the provisions of sub-section (1) of section 6 before the date of conviction, may at his option—

(i) either treat the sale as void, and recover from the seller, as money received by him for the use of the buyer, any amount paid by the buyer as consideration therefor, or

(ii) affirm the sale but recover as aforesaid to the extent of any loss sustained by him by reason of the contravention, regard being had to any consideration received or to be received by him for a resale of the articles:

Provided that the buyer shall not be entitled to exercise the rights conferred by clause (i) if any rights acquired by a third party would be prejudiced thereby, or after the lapse of an unreasonable time from the date of sale, or unless he tenders the articles to the seller in substantially the same state as that in which they were when the property passed to the buyer.

(2) Any sum recoverable under this section shall be recoverable with interest thereon at the rate of five per cent per annum from the date when it was paid.

(3) No person may exercise any rights conferred by this section who is himself liable to punishment as an abettor of the contravention in question.

Procedure.

16. No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Government, or of an officer empowered by the Government to grant such sanction.

Special rules of evidence.

17. (1) In any prosecution for a contravention of the provisions of section 6 when the sale of, or offer to sell, or disposal of, the article in question and the price at which it was made, have been proved, then, if it is also proved that such price exceeded by more than 20 per cent, the amount specified in sub-clause (i) or (ii) of clause (*b*) of sub-section (2) of section 6 or in clause (*c*) of that sub-section, as the case may be, it shall lie on the accused person to prove that the sale price charged was within the limits approved by the Controller under the proviso to the said sub-section.

(2) For the purposes of section 6, a certificate signed by or under authority from the Controller as to the landed cost of any articles shall be conclusive proof of that landed cost, and in giving the said certificate such of the following charges as are actually incurred in connection with the article shall be taken into account, namely buying commission, insurance premium, freight, customs duty paid, landing and clearing charges up to deposit of the article in the importer's warehouse or other place of storage and charges made by banks for transmitting shipping documents.

18. If the person contravening any provision of this Act is a company or other body corporate, every director manager, or secretary or other administrative officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

Certain officers to be deemed public servants.

19. The Controller, Inspectors and Officers empowered for the purposes of sections 5, 8, 9 or 13 by the Government shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, as in force in Mysore.

Bar of legal proceedings.

20. No suit, prosecution or other legal proceeding shall lie against any person for anything done or in good faith intended to be done under this Act.

Saving of other laws.

21. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating the keeping, storage, distribution, disposal, or price of articles.

Exception of certain articles.

22. The provisions of this Act shall not apply—

(*a*) to the possession or sale of any article intended for export from Mysore by a person holding an export license for the export of that article;

(*b*) to the possession or sale of any article by a person discharging a contract entered into with the Government where the possession or sale is in pursuance of that contract.

Repeal.

23. The Hoarding and Profiteering Prevention Ordinance, 1943 (XXXV of 1943) as continued by the Retrocession (Application of Laws) Act, 1947, in the Retroceded Area is hereby repealed.

A. RAMASWAMI MUDALIAR,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

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EXTRAORDINARY

BANGALORE, SATURDAY, AUGUST 14, 1948

NOTIFICATIONS.

Order No. R. L. 462—Legis. 29-48-1, Bangalore, dated the 14th August 1948.

Ordered that the accompanying Mysore Excess Profits Tax (Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the sixth day of August 1948, be published as Act No. LIX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LIX OF 1948.

THE MYSORE EXCESS PROFITS TAX (AMENDMENT) (EMERGENCY) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the Sixth day of August* 1948.)

An Act further to amend the Mysore Excess Profits Tax Act, 1946.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Excess Profits Tax Act, 1946, for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore Excess Profits Tax (Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

Amendment of section 4, Act XI of 1946.

2. In sub-section (2) of section 4 of the Mysore Excess Profits Act, 1946, for the words "at a date not later than two years after the termination of the present hostilities" the words, "at a date not later than two years after the date of termination of the present hostilities or one year after the date on which excess profits tax was paid, whichever is later", shall be substituted.

A. RAMASWAMI MUDALIAR,

Dewan.

Order No. R. L. 463—Legis. 30-48-1, Bangalore, dated 14th August 1948.

Ordered that the accompanying Hoarding and Profiteering Prevention Act, 1948, which received the assent of His Highness the Maharaja, on the 7th day of August 1948, be published as Act No. LX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LX OF 1948.

THE HOARDING AND PROFITEERING PREVENTION ACT, 1948.

(*Received the assent of His Highness the Maharaja on the Seventh day of August* 1948.)

An Act to provide for the prevention of hoarding and profiteering.

WHEREAS it is expedient to provide for the prevention of hoarding and profiteering;

It is hereby enacted as follows:—

Short title extent and commencement.

1. (1) This Act may be called the Hoarding and Profiteering Prevention Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "article" includes any article or thing, (except foodgrains) which has not, by notification in the official Gazette, been declared by the Government to be an article or thing to which this Act does not apply;

(*b*) "Controller" means any officer appointed as Controller of Civil Supplies by the Government in this behalf and includes any officer who may be authorised by the Government by notification in the official Gazette to exercise the powers of the Controller;

(*c*) "dealer" means a person carrying on the business of selling any article, whether wholesale or retail;

(*d*) "Inspector" means an Inspector appointed for the purposes of this Act by the Government and includes and Assistant Inspector;

(*e*) "landed cost" means and includes the actual cost of the article as mentioned in the invoice received by the importer and all expenses incurred on account of insurance, freight, banking charges, customs duty, landing an clearing charges incurred by the importer up to the receipt of the article at his godown at the port at which it is landed;

(*f*) "producer" includes a manufacturer;

(*g*) the expression 'offer for sale' shall be deemed to include a reference to an intimation by a person of the price proposed by him for the sale of an article, made by the publication of a price list, by exposing the article for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever.

(*h*) an article shall be deemed to be in the possession of a person—

(i) when it is held on behalf of that person by another person or when held by that person on behalf of another person;

(ii) notwithstanding that it is mortgaged to another person.

Fixing of maximum quantities which may be held or sold and maximum prices.

3. (1) The Government may, by notification in the official Gazette, fix in respect of any article—

(*a*) the maximum quantity which may at any one time be possessed by a dealer or producer;

(*b*) the maximum quantity which may in any one transaction be sold to any person;

(*c*) the maximum price or rate which may be charged by a dealer or producer.

(2) The quantities and prices or rates fixed in respect of any article under this section may be different in different localities or for different classes of dealers or producers.

Restrictions on possession and sale by dealers or producers where maximum is fixed under section 3.

4. (1) No dealer or producer shall—

(*a*) have in his possession at any one time a quantity of any article exceeding the maximum fixed by notification under clause (*a*) of sub-section (1) of section 3; or

(*b*) sell or offer for sale to any person in any one transaction a quantity of any article exceeding the

maximum fixed by notification under clause (*b*) of sub-tion (1) of section 3; or

(*c*) sell or offer for sale or otherwise dispose of to any person any article for a price or at a rate exceeding the maximum fixed by notification under clause (*c*) of sub-section (1) of section 3.

(2) Where a dealer or producer disposes of an article by having it sold by auction on his behalf, the auctioneer as well as the dealer or producer shall be liable to punishment provided by sub-section (1) of section 14 if in any such sale there is a contravention of clause (*c*) of sub-section (1).

(3) Where any article is sold, offered for sale or otherwise disposed of in contravention of sub-section (1) by a dealer or producer through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention the dealer or producer, as the case may be, and any person having charge on behalf of the dealer or producer of the place where the contravention occurred, shall be liable to the punishment provided by sub-section (1) of section 14 whether or not they were present when the contravention occurred.

Restrictions on possession by dealer or producer where no maximum is fixetd under section 3.

5. Where no maximum has been fixed by notification under clause (*a*) of sub-section (1) of section 3,—

(*a*) no dealer shall have in his possession at any one time a quantity of any article exceeding one-quarter of the total quantity of that article held by him in the course of the year 1939, or as the case may be, exceeding the quantity which the Controller or other officer empowered in this behalf by the Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time; and

(*b*) no producer shall have in his possession at any one time a quantity of any article exceeding one-quarter of his total production of that article during that one of three years 1940, 1941 and 1942 in which his production was greatest, or as the case may be, exceeding the quantity which the Controller or other officer empowered in this behalf by the Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time.

Restriction on price where no maximum is fixed under section 3.

6. (1) Where no maximum has been fixed by notification under clause (*c*) of sub-section (1) of section 3, no dealer or producer shall sell or offer for sale or otherwise dispose of an article for a consideration which is unreasonable.

(2) For the purposes of this section a consideration is unreasonable if, whether it is exclusively in money or not,—

(*a*) the purchaser is, as a condition of sale, required to purchase at the same time any other article;

(*b*) where the sale is by a dealer, the consideration exceeds the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August, 1939, to—

(i) the landed cost of the article increased by any charges for freight and octroi or other duties incurred during transit between the importer's godown at the port of landing and the place of delivery to the consignee in Mysore, or

(ii) the price at which the producer sold the article in the case of an article which is not imported;

(*c*) where the sale is by a producer, the consideration exceeds the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August 1939 to the cost of production of the article, such cost of production being deemed to be exclusive of the amount, if any, by which the price paid by the producer for any component part of the article exceeded (i) the maximum price fixed for the component part under section 3 and in force at the time of its purchase by the producer, or (ii) where no maximum price had been so fixed for the component part, the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August 1939 to the cost of production of the component part :

Provided that, where the addition allowed by such normal trade practice exceeds or is alleged to exceed 20 per cent, the dealer or producer, as the case may be, shall report the fact to the controller who may either sanction such addition or for reasons to be recorded in writing, order its variation; and the dealer or producer, as the case may be, shall be deemed to sell for a consideration which is unreasonable if such report has not been made or if after such report has been made and the Controller has varied

such addition, the price charged exceeds the limits approved by the Controller under this proviso.

(3) The Controller may make or cause to be made a certificate stating the landed cost of any imported article dealt in by a dealer, and shall, on request made by any dealer, grant or cause to be granted to that dealer a certificate stating the landed cost of any such imported article.

(4) Where a dealer or producer disposes of an article by having it sold by auction on his behalf, the auctioneer as well as the dealer or producer shall be liable to the penalty provided by sub-section (1) of section 14 if in any such sale there is a contravention of sub-section (1).

(5) Where any article is sold, offered for sale or otherwise disposed of in contravention of sub-section (1) by a dealer or producer through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention, the dealer or producer, as the case may be, and any person having charge on behalf of the dealer or producer of the place where the contravention occurred, shall be liable to the punishment provided by sub-section (1) of section 14 whether or not they were present when the contravention occurred.

General limitation on quantity to be possessed at any one time.

7. (1) No person shall have in his possession at any one time a greater quantity of any article to which this section applies than the quantity necessary for the reasonable needs of himself and his family for a period of three months or such longer period as may for special reasons in his particular circumstances be considered a reasonable period for which to make provision.

(2) For the purposes of sub-section (1), the expression "reasonable needs" includes the fulfilment of social or religious or other customary obligations.

(3) Nothing in this section shall apply to a dealer or producer in respect of any article sold by or produced by him.

(4) This section shall apply only to such articles as the Controller may, by order published in the official Gazette, specify for the purpose.

Duty to declare possession of excess stocks.

8. Any person having in his possession a quantity of any article exceeding that permitted by or under this Act shall forthwith report the fact to the Controller or other officer empowered in this behalf by the Government,

and shall take such action as to the storage, distribution or disposal of the excess quantity as the Controller or such officer may direct.

Refusal to sell.

9. No dealer or producer shall, unless previously authorised to do so by the Controller or other officer empowered in this behalf by the Government, without sufficient cause refuse to sell to any person any article within the limits if any, as to quantity imposed by this Act.

Explanation.—The possibility or expectation of obtaining a higher price for an article at a later date shall not be deemed to be a sufficient cause for the purposes of this section.

Power of Controller to order or prohibit sale.

10. The Controller may, by order in writing, direct any dealer or producer—

a) to sell to any specified person any specified article or articles in such quantity, within the limits, if any, as to quantity imposed by this Act, as may be specified in the order,

(*b*) not to sell except to such persons as the Controller may, in the order or otherwise, specify any specified articles or classes of articles for such period not exceeding twenty-one days as may be specified in the order.

Cash memorandum to be given of certain sales.

11. (1) Every dealer or producer when selling any article for cash shall, if the amount of the purchase is ten rupees or more in all cases, and, if the amount of the purchase is less than ten rupees when so requested by the purchaser, give to the purchaser a cash memorandum containing particulars of the transaction.

(2) The Government may, by notification in the official Gazette, prescribe the particulars to be contained in any such cash memorandum.

(3) The Government may, by notification in the official Gazette, exempt specific areas, classes of dealers or producers, or commodities from the operation of this section.

Marking of prices and exhibiting price list.

12. (1) The Controller may direct any dealer or producer to mark articles exposed or intended for sale with the sale prices or to exhibit on his premises a price list of articles held by him for sale, and may further give directions as to the manner in which any such direction as aforesaid is to be carried out.

(b) after taking precautions to conceal his entry or attempted entry from any such person, shall be punishable witn imprisonment for a term which may extend to seven years.

(7) (a) The Government as respect any area declared by it to be protected area, may make orders for controlling or regulating the admission of persons to and the conduct of persons in, and in the vicinity of such area;

(b) Without prejudice to the generality of the foregoing provision, orders made under clause (a) in relation to any area may make provision for—

(i) restricting the admission of persons to such area and for removing therefrom any person who is therein in contravention of such orders;

(ii) for requiring the presence of any person or class of persons in such area to be notified to a prescribed authority;

(iii) for requiring any person or class of persons in such area to carry such documentary evidence of identity as may be prescribed; and

(iv) for prohibiting any person or class of persons from being in possession or control of any prescribed article.

(c) An order made under this sub-section in respect of a protected area may exempt such area from all or any of the provisions of this section which are expressed to apply to or in relation to a protected area or may direct that all or any of the said provisions shall apply subject to such modifications as may be specified in the order.

(d) If any person contravenes any order made under this sub-section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both."

Amendment of section 3 of Act XII of 1940.

9. In the second proviso to sub-section (2) of section 3 of the Mysore Public Security Act, 1940, for the words "two months" the words "six months" shall be substituted.

CHAPTER III.

PREVENTION OF PREJUDICIAL ACTS AND CONTROL OF INFORMATION.

Prohibition of prejudicial acts, publications and communications.

10. (1) No person shall, without lawful authority or excuse,—

(a) do any prejudicial act; or

(b) make, print, publish or distribute any document containing, or spread by any other means whatsoever, any prejudicial report.

(2) The author, editor, printer and publisher of, and any person who otherwise makes or produces, any prejudicial report and any person who distributes or sells any report of that nature, knowing it to be of such nature, shall be deemed to have contravened this section.

(3) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both:

Provided that in any proceedings arising out of a contravention of this section,—

(a) in relation to the making or printing of any document, it shall be a defence for the accused to prove that the said document was made or printed, as the case may be,—

(i) before this Act came into force, or

(ii) with the permission, or under the authority, of the Government, or

(iii) as a proof intended for submission to the Government or to a person, or authority, designated by the Government in this behalf, with a view to obtaining permission for its publication;

(b) in relation to the publication of any document, it shall be a defence for the accused to prove that the said document was published—

(i) before this Act came into force, or

(ii) with the permission, or under the authority, of the Government.

Proscription, etc., of certain documents.

11. (1) Where in the opinion of the Government any document made, printed or published, whether before or

after this Act came into force, contains any prejudicial report, the Government may, by order,—

(a) require the editor, printer, publisher or person in possession of such document to inform the authority specified in the order the name and address of any person concerned in the making of such report;

(b) provide for the safe keeping of such document and copies thereof by persons in possession thereof;

(c) require the delivery of such document and any copy thereof to any authority specified in the order;

(d) prohibit the further publication, sale or distribution of such document, or of any extract therefrom or of any translation thereof, including, in the case of a newspaper or other periodical, the publication, sale or distribution of any subsequent issue thereof;

(e) declare such document and every copy, or translation thereof or extract therefrom to be forfeited to the Government.

(2) Where, in pursuance of sub-section (1), any document is required to be delivered to a specified authority, that authority may enter upon and search any premises whereon or wherein such document, or any copy thereof is or is reasonably suspected to be.

(3) Where, in pursuance of sub-section (1), any document has been declared to be forfeited to the Government, any police officer may seize any copy thereof wherever found, and any Magistrate may, by warrant, authorise any police officer not below the rank of a Sub-Inspector to enter upon and search any premises whereon or wherein such document, or any copy thereof, is or is reasonably suspected to be.

(4) Whoever contravenes any order made under this section shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Control of documents printed or made outside Mysore.

12. The Government may, by general or special order, prohibit or regulate the entry into, or sale, or distribution, or circulation, or publication or possession within Mysore of any document, or class of documents or of any prejudicial report printed, or made, outside Mysore.

Censorship.

13. (1) The Government may, for the purpose of securing the public safety or for the maintenance of public order, by order addressed to a printer, publisher or editor, or to printers, publishers and editors generally—

(a) require that all matter, or any matter, relating to a particular subject or class of subjects, shall, before being published in any document or class of documents, be submitted for scrutiny to an authority specified in the order;

(b) prohibit or regulate the making, or publishing, of any document or class of documents, or of any matter relating to a particular subject or class of subjects, or the use of any press.

(2) If any person contravenes any order made under sub-section (1), the Government may, without prejudice to any other proceedings which may be taken against such person, declare to be forfeited to the Government every copy of any document published or made in contravention of such order and any press used in the making of such document.

(3) If any person contravenes any order made under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Explanation.—For the purposes of this section "press" includes a printing press and all machines, implements and plant, and parts thereof, and all materials used for multiplying documents.

Dissemination of false rumours.

14. Whoever by words, whether spoken or written or by signs, or by visible or audible representations, or otherwise makes, publishes, or circulates, any statement, rumour or report, which is false and which he has no reasonable grounds to believe to be true, with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public, or hatred or contempt towards any public servant, or any class of public servants, or any class or section of the subjects of His Highness the Maharaja shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

Participation in mock funeral ceremony.

15. Whoever with intent to intimidate, insult or annoy any person, or with the knowledge that intimidation, insult or annoyance is likely to be caused to any person, performs, or takes part in, or abets the performance of, any

mock ceremony, resembling any ceremony associated with, or consequent upon, death, shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Sabotage.

16. (1) No person shall do any act with intent to impair the efficiency, or impede the working of, or to cause damage to—

(a) any building, vehicle, machinery, apparatus or other property used, or intended to be used, for the purpose of the Government or of any local authority;

(b) any railway (as defined in the Mysore Railways Act, 1894) tramway, road, canal, bridge, culvert, causeway, aerodrome, or any telegraph, telegraph line or post (as defined in the Indian Telegraph Act, 1885);

(c) any rolling stock of a railway or tramway, or any aircraft;

(d) any building or other property used in connection with the production, distribution or supply of any essential commodity, any sewage works, mine or factory.

(2) The provisions of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty either to the Government, or to any public authority or to any person to do as they apply to the doing of any act by a person.

(3) If any person approaches, or is in the neighbourhood of, any such building, place or property, as is mentioned in sub-section (1), in circumstances which afford reason to believe that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

Receiving of sabotaged property.

17. (1) If any person dishonestly receives or retains, or voluntarily assists in concealing or disposing of or making away with, any sabotaged property, knowing, or having reason to believe, the same to be sabotaged property, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

(2) In this section "sabotaged property" means property the possession of which has been transferred by, or in consequence of, any such act as is referred to in sub-section (1) of section 16.

Additional power to declare an association unlawful.

18. (1) If the Government is of opinion that any association is organised or equipped for the purpose of enabling the members of the association to be employed, or is organised or equipped in such manner as to arouse reasonable apprehension that the members of the association may be employed, in usurping the functions of the State Forces, or His Majesty's Forces, or of any police force or of any force constituted under any law for the time being in force, in furtherance of the common object of the association, or for the doing of any prejudicial act, the Government may, by notification in the Official Gazette, declare such association to be unlawful.

Explanation.—In this section "association" means any combination or body of persons, whether the same be known by any distinctive name or not.

(2) On the issue of a notification under sub-section (1) declaring an association as unlawful, the provisions of the Indian Criminal Law Amendment Act, 1908, as continued in the retroceded area by the Retrocession (Application of Laws) Act, 1947, shall apply with respect to an association in the retroceded area, and the provisions of the Mysore Public Security Act, 1940, shall apply to an association elsewhere in Mysore.

Boycotting.

19. Whoever refuses to deal or do business with, or to supply goods, or to let a house or land to, or to render any customary service to, any public servant or any person in whom a public servant is interested, or refuses to do so on the terms on which such things would be done in the ordinary course or abstains from such professional or business relation as he would ordinarily maintain with such public servant or person, or threatens such public servant or person with any such refusal or abstention, shall be punishable with imprisonment for a term which may extend to one year or with fine or with both:

Provided that no person shall be convicted under this section if the court is satisfied that his refusal, abstention or threat as aforesaid was not intended to harass the public servant or person affected thereby in the discharge of the duties of his office or employment, or to cause him to terminate his services or fail in his duty or commit a breach of discipline.

CHAPTER IV.

COLLECTIVE FINES.

Imposition of collective fines.

20. (1) If it appears to the Government that the inhabitants of any area are concerned in, or abetting the commission of, offences prejudicially affecting the public safety or the maintenance of public order, or the production, supply or distribution of any essential commodity, or the maintenance of supplies and services essential to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the Official Gazette, impose a collective fine on the inhabitants of that area:

Provided that an imposition of a collective fine by any officer or authority to whom the power may have been delegated under this Act may be made by publication of the order imposing the fine in such manner as such officer or authority may consider best calculated to bring the order to the notice of the inhabitants of the area concerned:

(2) The Government or any officer empowered by it in this behalf may, by general or special order, exempt any class, or section of such inhabitants or any person from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made in accordance with the District Magistrate's judgment regarding the respective means of such inhabitants. An appeal shall lie to the Government from an order of apportionment by the District Magistrate; provided that such appeal is preferred within sixty days from the date of such order exclusive of the time required for obtaining a copy of the order.

(4) The portion of such fine payable by any person—

(*a*) shall be treated as a fine imposed by the Magistrate acting as a Court and recovered

in the manner provided by the Code of Criminal Procedure for the recovery of a fine imposed by a Court :

Provided that the Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure make rules under this Act regulating the manner in which warrants under clause (*a*) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant ; or

(*b*) shall be recovered as arrears of land revenue.

CHAPTER V.

CONTROL OF ARMS AND EXPLOSIVES.

Carrying and possession of arms and explosives.

21. (1) The Government may, by general or special order, prohibit, restrict or impose conditions on the possession, carrying, use, sale or other disposal of—

(*a*) arms or articles capable of being used as arms;

(*b*) ammunition ;

(*c*) substances (hereinafter referred to as explosive substances) which are, or are declared to be, explosives within the meaning of the Mysore Explosives Act, 1888;

(*d*) corrosive substances or liquids ;

(*e*) any other article or thing capable, in the opinion of the Government, of being used as a weapon of offence.

(2) Without prejudice to any powers conferred by, or under, any other law for the time being in force,—

(*a*) if any police officer not below the rank of Jamedar, or any other public servant authorised by the Government to act under this section, suspects that any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or

liquids, or any other things or articles capable of being used as weapons of offence are in or upon any land, vehicle, aircraft, building or other premises in contravention of an order made under sub-section (1), he may enter, at any time of the day or night, if necessary, by force, and search the land, vehicle, aircraft, building or premises in or upon which he suspects that a contravention of an order made under sub-section (1) has been committed, and may seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances, or liquids, or other articles or things capable of being used as weapons of offence found therein or thereon which he suspects to be therein or thereon in contravention of such order;

(*b*) if any police officer, or any other public servant authorised by the Government to act under this section, suspects that any person is carrying, or is in possession of arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things capable of being used as weapons of offence in contravention of an order made under sub-section (1), such officer, or other public servant, may stop and search, or cause to be searched, such person and seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things capable of being used as weapons of offence possessed or carried by him which such officer, or other public servant, suspects to be possessed or carried in contravention of such order:

Provided that no female shall be searched in pursuance of the provisions of this section except by a female.

(3) Any arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things seized under the provisions of this section may be destroyed, or otherwise disposed of, as may be ordered by the Government.

(4) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to five years, or with fine, or with both.

Manufacture and transport of explosives and dangerous articles

22. (1) The Government may, as respects any premises used for producing, treating, handling or keeping any explosives, or petroleum or any other substance to which any of the provisions of the Mysore Explosives Act, 1888, or of the Mysore Petroleum Act, 1942, or of the Indian Explosives Act, 1884, or of the Petroleum Act, 1934, as the case may be, apply or may be applied, by order make provision for the safety of persons and property in, or in the vicinity of, such premises; and by any such order may authorise the searching of persons, entering, or seeking to enter, or being within, or leaving or seeking to leave any premises to which the order applies:

Provided that no female shall be searched in pursuance of such order except by a female.

(2) The Government may by order make, in relation to the conveyance on vehicles of any description of any such articles or substances as are mentioned in sub-section (1), such provision as may appear to be necessary or expedient for the protection of persons or property against danger arising from, or in connection with, such conveyance.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

CHAPTER VI.

CONTROL OF ROAD TRANSPORT.

Power to prohibit or regulate the use of vehicles or animals.

23. (1) In this section:—

(a) 'vehicle' means any vehicle used, or capable of being used, for the purpose of road transport;

(b) 'animal' means any animal used, or capable of being used, for the transport of persons or goods.

(2) If, in the opinion of the District Magistrate it is necessary for the public advantage so to do, he may, by order in writing,—

(a) regulate, restrict or prohibit the use upon any road of any vehicle or animal;

(*b*) require any vehicle as a condition of use to carry a permit issued by him containing such conditions as he may think fit;

(*c*) require any person owning, or having in his possession or under his control, any vehicle or animal to comply with any directions contained in the order as to the management or use thereof, or to place the vehicle or animal at the disposal of the District Magistrate, or of any person specified in the order, either absolutely or by way of hire and either for immediate or future use.

(3) The District Magistrate may cancel any permit issued by him, and may impound or take possession of any vehicle which is being, or has been, used without the permit necessary as a condition of use, or in contravention of any order made under sub-section (2) or of any condition attached to any permit issued by him.

(4) The District Magistrate may—

(*a*) require accommodation to be provided on any vehicle for any passengers or goods and, for this purpose, exclude from such vehicle any passengers or goods which it is already carrying or about to carry;

(*b*) require that any specified persons or classes of persons, or persons proposing to travel to specified destinations, or any specified goods or classes of goods consigned to specified destinations, shall not be carried on any vehicle or animal;

(*c*) exclude or eject any passenger from any vehicle, or prohibit the use by any specified person or class of persons of any specified road, or specified vehicle or specified animal.

(5) The District Magistrate may, by order in writing, regulate or prohibit the sale, supply, delivery or use of motive fuel, oil or accessories intended for motor vehicles.

CHAPTER VII.

SUPPLEMENTAL.

24. (1) Without prejudice to any special provisions contained in this Act, the Government or the District Magistrate may by order require any person to furnish or

Power to obtain information.

produce to any specified authority or person any such information or article in his possession as may be specified in the order, being information or article which the Government or the District Magistrate, as the case may be, considers it necessary or expedient in the interests of the public safety or interest to obtain or examine.

(2) If any person fails to furnish or produce any information or article in compliance with an order made under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

False statements.

25. If any person when required by or under any of the provisions of this Act to make any statement or furnish any information makes any statement or furnishes any information which he knows, or has reasonable cause to believe, to be false or not true, in any material particular, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Power to delegate.

26. The Government may by order direct that any power or duty which under any of the provisions of this Act is conferred, or imposed, upon the Government, shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by any officer or authority subordinate to it.

Publication, affixation and defacement of notice.

27. (1) Save as otherwise expressly provided in this Act, every authority, officer, or person who makes any order in writing in pursuance of any provision thereof shall :

(*a*) in the case of an order of a general nature or affecting a class of persons publish notice of such order by notification in the official Gazette or in such manner as may, in the opinion of such authority, officer, or person, be best adapted for informing persons whom the order concerns ;

(*b*) in the case of an order affecting an individual, corporation or firm in the Retroceded Area serve, or cause the order to be served, in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908, (V of 1908), as continued in the Retroceded Area by the Retrocession (Application of

Laws) Act, 1947, and in the case of an order affecting an individual, corporation or firm elsewhere in Mysore serve, or cause the order to be served, in the manner provided for the service of a summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1911; and

(c) in the case of an order affecting an individual person (not being a corporation or firm) serve, or cause the order to be served, on that person :—

(i) personally, by delivering or tendering to him the order; or

(ii) by post; or

(iii) where the person cannot be found, by leaving an authentic copy of the order with some adult male member of his family, or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided, or carried on business or personally worked for gain.

(2) If, in the course of any judicial proceedings, a question arises whether a person was duly informed of an order made in pursuance of any provision of this Act, compliance with sub-section (1) shall be conclusive proof that he was so informed, but a failure to comply with sub-section (1) :—

(i) shall not preclude proof by other means that he had information of the order; and

(ii) shall not affect the validity of the order.

(3) Any police officer, and any other person authorised by the Government or the District Magistrate in this behalf may, for any purpose connected with the public safety, the maintenance of public order, maintaining supplies and services essential to the life of the community, or for carrying out the provisions of this Act affix any notice to, or cause any notice to be displayed on, any premises, vehicle or vessel, and may, for the purpose of exercising the power conferred by this section, enter any premises, vehicle or vessel at any time.

(4) Any person authorised by the Government or the District Magistrate in this behalf may, for any purpose mentioned in sub-section (3), by order direct the owner or other person in possession or control of any premises, vehicle or vessel to display any notice on, or in, the

premises, vehicle or vessel in such manner as may be specified in the order.

(5) If any person without lawful authority removes, alters, defaces, obliterates or in any way tampers with any notice affixed, or displayed, in pursuance of the provisions of this Act, or contravenes any order under sub-section (4), he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Offences under this Act to be cognizable and non-bailable.

28. Notwithstanding anything contained in the Code of Criminal Procedure, any offence punishable under this Act shall be cognizable and non-bailable.

Special provisions regarding bail.

29. Notwithstanding anything contained in the Code of Criminal Procedure, no person accused or convicted of a contravention of any of the provisions of this Act or of any order made thereunder shall, if in custody, be released on bail or on his own bond unless,—

(*a*) the prosecution has been given an opportunity to oppose the application for such release, and

(*b*) where the prosecution opposes the application and the contravention is of any such provision of this Act, or of any order made thereunder, as the Government may, by general order, specify in this behalf, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such contravention.

Attempts etc., to contravene the Act.

30. Any person who attempts to contravene, or abets or attempts to abet, or does any act preparatory to a contravention of any of the provisions of this Act, or of any order made thereunder, shall be deemed to have contravened that provision, or, as the case may be, that order.

Offences by corporations.

31. If the person contravening any of the provisions of this Act or of any order made thereunder is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

Assisting offenders.

32. Any person who knowing, or having reasonable cause to believe, that any other person has contravened any of the provisions of this Act, or of any order made thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere

with, his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

Power to issue search warrants.

33. The power to issue search warrants conferred by Section 98 of the Code of Criminal Procedure shall be deemed to include the power to issue warrants for—

(*a*) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the public safety or the maintenance of public order has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made;

(*b*) the seizure in or on any place searched under clause (*a*) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause;

and the provisions of the Code of Criminal Procedure shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

Power to give effect to orders, etc.

34. (1) Any authority, officer or person who is empowered by, or in pursuance of, this Act to make any order, or to exercise any other power, may, in addition to any other action prescribed by or under this Act, take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with, or for preventing or rectifying any contravention of such order, or for the effective exercise of such power.

(2) Where in respect of any of the provisions of this Act there is no authority, officer or person empowered to take action under sub-section (1), the Government or District Magistrate may take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of the Government or the District Magistrate, be reasonably necessary for securing compliance with, or for preventing or rectifying any breach of, such provision.

(3) For the avoidance of doubts it is hereby declared that the power to take steps under sub-section (1) or under sub-section (2) includes the power to enter upon any land or other property whatsoever.

Protection of action taken under this Act.

35. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done, or intended to be done, in pursuance of this Act, or of any order made thereunder.

Operation of other penal Acts not barred.

36. Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other Act for any act or omission which constitutes an offence punishable under this Act.

Savings as to orders.

37. (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by any authority in exercise of any power conferred by or under this Act, a Court shall, within the meaning of the Indian Evidence Act, 1872, presume that such order was so made by such authority.

Repeal and Savings.

38. The Mysore Maintenance of Public Order (Emergency) Act, 1948 (XV of 1948), and the Mysore Maintenance of Public Order (Amendment) (Emergency) Act, 1948 (XXVII of 1948) are hereby repealed. But any order made, anything done and any action taken in exercise of any power conferred by the Mysore Maintenance of Public Order (Emergency) Act, 1948 (XV of 1948) shall be deemed to have been made, done or taken in exercise of the powers conferred by, or under this Act, as if this Act had commenced on the 14th day of February 1948.

A. RAMASWAMI MUDALIAR,

Dewan.

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NOTIFICATIONS.

Order No. R. L. 462—Legis. 29-48-1, Bangalore, dated the 14th August 1948.

Ordered that the accompanying Mysore Excess Profits Tax (Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the sixth day of August 1948, be published as Act No. LIX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LIX OF 1948.

THE MYSORE EXCESS PROFITS TAX (AMENDMENT) (EMERGENCY) ACT, 1948.

(Received the assent of His Highness the Maharaja on the Sixth day of August 1948.)

An Act further to amend the Mysore Excess Profits Tax Act, 1946.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore Excess Profits Tax Act, 1946, for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title and commencement.

1. (1) This Act may be called the Mysore Excess Profits Tax (Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

Amendment of section 4, Act XI of 1946.

2. In sub-section (2) of section 4 of the Mysore Excess Profits Act, 1946, for the words "at a date not later than two years after the termination of the present hostilities" the words, "at a date not later than two years after the date of termination of the present hostilities or one year after the date on which excess profits tax was paid, whichever is later", shall be substituted.

A. RAMASWAMI MUDALIAR,

Dewan.

Order No. R. L. 463—Legis. 30-48-1, Bangalore, dated 14th August 1948.

Ordered that the accompanying Hoarding and Profiteering Prevention Act, 1948, which received the assent of His Highness the Maharaja, on the 7th day of August 1948, be published as Act No. LX of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LX OF 1948.

THE HOARDING AND PROFITEERING PREVENTION ACT, 1948.

(*Received the assent of His Highness the Maharaja on the Seventh day of August* 1948.)

An Act to provide for the prevention of hoarding and profiteering.

WHEREAS it is expedient to provide for the prevention of hoarding and profiteering;

It is hereby enacted as follows:—

Short title extent and commencement.

1. (1) This Act may be called the Hoarding and Profiteering Prevention Act, 1948.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Interpretation.

2. In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "article" includes any article or thing, (except foodgrains) which has not, by notification in the official Gazette, been declared by the Government to be an article or thing to which this Act does not apply;

(*b*) "Controller" means any officer appointed as Controller of Civil Supplies by the Government in this behalf and includes any officer who may be authorised by the Government by notification in the official Gazette to exercise the powers of the Controller;

(*c*) "dealer" means a person carrying on the business of selling any article, whether wholesale or retail;

(*d*) "Inspector" means an Inspector appointed for the purposes of this Act by the Government and includes and Assistant Inspector;

(*e*) "landed cost" means and includes the actual cost of the article as mentioned in the invoice received by the importer and all expenses incurred on account of insurance, freight, banking charges, customs duty, landing an clearing charges incurred by the importer up to the receipt of the article at his godown at the port at which it is landed;

(*f*) "producer" includes a manufacturer;

(*g*) the expression 'offer for sale' shall be deemed to include a reference to an intimation by a person of the price proposed by him for the sale of an article, made by the publication of a price list, by exposing the article for sale in association with a mark indicating price, by the furnishing of a quotation, or otherwise howsoever.

(*h*) an article shall be deemed to be in the possession of a person—

(i) when it is held on behalf of that person by another person or when held by that person on behalf of another person;

(ii) notwithstanding that it is mortgaged to another person.

Fixing of maximum quantities which may be held or sold and maximum prices.

3. (1) The Government may, by notification in the official Gazette, fix in respect of any article—

(*a*) the maximum quantity which may at any one time be possessed by a dealer or producer;

(*b*) the maximum quantity which may in any one transaction be sold to any person;

(*c*) the maximum price or rate which may be charged by a dealer or producer.

(2) The quantities and prices or rates fixed in respect of any article under this section may be different in different localities or for different classes of dealers or producers.

Restrictions on possession and sale by dealers or producers where maximum is fixed under section 3.

4. (1) No dealer or producer shall—

(*a*) have in his possession at any one time a quantity of any article exceeding the maximum fixed by notification under clause (*a*) of sub-section (1) of section 3; or

(*b*) sell or offer for sale to any person in any one transaction a quantity of any article exceeding the

maximum fixed by notification under clause (*b*) of sub-tion (1) of section 3; or

(*c*) sell or offer for sale or otherwise dispose of to any person any article for a price or at a rate exceeding the maximum fixed by notification under clause (*c*) of sub-section (1) of section 3.

(2) Where a dealer or producer disposes of an article by having it sold by auction on his behalf, the auctioneer as well as the dealer or producer shall be liable to punishment provided by sub-section (1) of section 14 if in any such sale there is a contravention of clause (*c*) of sub-section (1).

(3) Where any article is sold, offered for sale or otherwise disposed of in contravention of sub-section (1) by a dealer or producer through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention the dealer or producer, as the case may be, and any person having charge on behalf of the dealer or producer of the place where the contravention occurred, shall be liable to the punishment provided by sub-section (1) of section 14 whether or not they were present when the contravention occurred.

Restrictions on possession by dealer or producer where no maximum is fixetd under section 3.

5. Where no maximum has been fixed by notification under clause (*a*) of sub-section (1) of section 3,—

(*a*) no dealer shall have in his possession at any one time a quantity of any article exceeding one-quarter of the total quantity of that article held by him in the course of the year 1939, or as the case may be, exceeding the quantity which the Controller or other officer empowered in this behalf by the Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time; and

(*b*) no producer shall have in his possession at any one time a quantity of any article exceeding one-quarter of his total production of that article during that one of three years 1940, 1941 and 1942 in which his production was greatest, or as the case may be, exceeding the quantity which the Controller or other officer empowered in this behalf by the Government may intimate to him as the maximum quantity of that article which he may have in his possession at any one time.

Restriction on price where no maximum is fixed under section 3.

6. (1) Where no maximum has been fixed by notification under clause (*c*) of sub-section (1) of section 3, no dealer or producer shall sell or offer for sale or otherwise dispose of an article for a consideration which is unreasonable.

(2) For the purposes of this section a consideration is unreasonable if, whether it is exclusively in money or not,—

(*a*) the purchaser is, as a condition of sale, required to purchase at the same time any other article;

(*b*) where the sale is by a dealer, the consideration exceeds the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August, 1939, to—

(i) the landed cost of the article increased by any charges for freight and octroi or other duties incurred during transit between the importer's godown at the port of landing and the place of delivery to the consignee in Mysore, or

(ii) the price at which the producer sold the article in the case of an article which is not imported;

(*c*) where the sale is by a producer, the consideration exceeds the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August 1939 to the cost of production of the article, such cost of production being deemed to be exclusive of the amount, if any, by which the price paid by the producer for any component part of the article exceeded (i) the maximum price fixed for the component part under section 3 and in force at the time of its purchase by the producer, or (ii) where no maximum price had been so fixed for the component part, the amount represented by the addition allowed by the normal trade practice in force on the 31st day of August 1939 to the cost of production of the component part :

Provided that, where the addition allowed by such normal trade practice exceeds or is alleged to exceed 20 per cent, the dealer or producer, as the case may be, shall report the fact to the controller who may either sanction such addition or for reasons to be recorded in writing, order its variation ; and the dealer or producer, as the case may be, shall be deemed to sell for a consideration which is unreasonable if such report has not been made or if after such report has been made and the Controller has varied

such addition, the price charged exceeds the limits approved by the Controller under this proviso.

(3) The Controller may make or cause to be made a certificate stating the landed cost of any imported article dealt in by a dealer, and shall, on request made by any dealer, grant or cause to be granted to that dealer a certificate stating the landed cost of any such imported article.

(4) Where a dealer or producer disposes of an article by having it sold by auction on his behalf, the auctioneer as well as the dealer or producer shall be liable to the penalty provided by sub-section (1) of section 14 if in any such sale there is a contravention of sub-section (1).

(5) Where any article is sold, offered for sale or otherwise disposed of in contravention of sub-section (1) by a dealer or producer through any person employed by him or acting on his behalf, such person and also, unless they prove that they exercised due diligence to prevent such contravention, the dealer or producer, as the case may be, and any person having charge on behalf of the dealer or producer of the place where the contravention occurred, shall be liable to the punishment provided by sub-section (1) of section 14 whether or not they were present when the contravention occurred.

General limitation on quantity to be possessed at any one time.

7. (1) No person shall have in his possession at any one time a greater quantity of any article to which this section applies than the quantity necessary for the reasonable needs of himself and his family for a period of three months or such longer period as may for special reasons in his particular circumstances be considered a reasonable period for which to make provision.

(2) For the purposes of sub-section (1), the expression "reasonable needs" includes the fulfilment of social or religious or other customary obligations.

(3) Nothing in this section shall apply to a dealer or producer in respect of any article sold by or produced by him.

(4) This section shall apply only to such articles as the Controller may, by order published in the official Gazette, specify for the purpose.

Duty to declare possession of excess stocks.

8. Any person having in his possession a quantity of any article exceeding that permitted by or under this Act shall forthwith report the fact to the Controller or other officer empowered in this behalf by the Government,

and shall take such action as to the storage, distribution or disposal of the excess quantity as the Controller or such officer may direct.

Refusal to sell.

9. No dealer or producer shall, unless previously authorised to do so by the Controller or other officer empowered in this behalf by the Government, without sufficient cause refuse to sell to any person any article within the limits if any, as to quantity imposed by this Act.

Explanation.—The possibility or expectation of obtaining a higher price for an article at a later date shall not be deemed to be a sufficient cause for the purposes of this section.

Power of Controller to order or prohibit sale.

10. The Controller may, by order in writing, direct any dealer or producer—

(*a*) to sell to any specified person any specified article or articles in such quantity, within the limits, if any, as to quantity imposed by this Act, as may be specified in the order,

(*b*) not to sell except to such persons as the Controller may, in the order or otherwise, specify any specified articles or classes of articles for such period not exceeding twenty-one days as may be specified in the order.

Cash memorandum to be given of certain sales.

11. (1) Every dealer or producer when selling any article for cash shall, if the amount of the purchase is ten rupees or more in all cases, and, if the amount of the purchase is less than ten rupees when so requested by the purchaser, give to the purchaser a cash memorandum containing particulars of the transaction.

(2) The Government may, by notification in the official Gazette, prescribe the particulars to be contained in any such cash memorandum.

(3) The Government may, by notification in the official Gazette, exempt specific areas, classes of dealers or producers, or commodities from the operation of this section.

Marking of prices and exhibiting price list.

12. (1) The Controller may direct any dealer or producer to mark articles exposed or intended for sale with the sale prices or to exhibit on his premises a price list of articles held by him for sale, and may further give directions as to the manner in which any such direction as aforesaid is to be carried out.

(2) The Controller may, by order published in the official Gazette, issue a direction under sub-section (1) generally to all dealers in or producers of a particular article or particular articles.

(3) No dealer shall destroy, efface or alter or cause to be destroyed, effaced or altered any label or mark affixed to an article and indicating the price marked by a producer.

Powers of Controller, Inspector, etc.

13 (1) The Controller or an Inspector or an officer empowered in this behalf by the Government may—

(*a*) direct a dealer or producer to maintain records of sale and purchase transactions;

(*b*) direct a dealer or producer to furnish any information he may require as to the business carried on by such dealer or producer;.

(*c*) direct a dealer or producer to furnish any information possessed by such dealer or producer as to the business carried on by any other person;

(*d*) inspect or cause to be inspected any books or other documents belonging to or under the control of any dealer or producer;

(*e*) enter and search any premises;

(*f*) seize or direct the seizure of any article in respect of which he suspects that an offence under this Act has been, is being or is about to be committed, and thereafter take or direct the taking of all measures necessary for securing the production of the article in a Court.

(2) The Controller may, by order published in the official Gazette, issue to all dealers or producers of a specified class a direction such as is referred to in clause (*a*) or clause (*b*) of sub-section (1).

(3) The Controller and such Inspectors and other officers as may be empowered by the Government in this behalf shall, within the respective areas for which they are appointed, have power to investigate all offences punishable under this Act and in conducting any such investigation shall, within the said areas, have all the powers, duties privileges and liabilities of an officer in charge of a Police Station under the Code of Criminal Procedure, 1904, when investigating a cognisable offence within the limits of his station.

Penalties.

14. (1) Whoever contravenes any of the provisions of this Act shall be punishable with imprisonment for a

term which may extend to five years, or with fine, or with both.

(2) Whoever fails to comply with any direction made under authority conferred by this Act shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

(3) A court convicting any person of an offence punishable under this Act, may order any article, in respect of which the offence was committed, to be forfeited to the Government.

(4) Notwithstanding anything to the contrary in clause (*a*) of sub-section (1) of section 32 of the Code of Criminal Procedure, 1904, a Magistrate of the First Class specially empowered by the Government in this behalf may impose a sentence of fine exceeding one thousand rupees for any offence punishable under this Act.

Right of buyer to avoid prohibited transactions or to recover excess price.

15. (1) Where any person has been convicted of the offence specified in sub-section (1) of section 6, then—

(*a*) if the prosecution was in respect of a sale, the buyer at that sale, and

(*b*) if the prosecution was in respect of a sale or an offer to sell or a disposal otherwise than by sale, the buyer under any sale of similar articles effected at the same or a higher price in the course of that business in contravention of the provisions of sub-section (1) of section 6 before the date of conviction, may at his option—

(i) either treat the sale as void, and recover from the seller, as money received by him for the use of the buyer, any amount paid by the buyer as consideration therefor, or

(ii) affirm the sale but recover as aforesaid to the extent of any loss sustained by him by reason of the contravention, regard being had to any consideration received or to be received by him for a resale of the articles:

Provided that the buyer shall not be entitled to exercise the rights conferred by clause (i) if any rights acquired by a third party would be prejudiced thereby, or after the lapse of an unreasonable time from the date of sale, or unless he tenders the articles to the seller in substantially the same state as that in which they were when the property passed to the buyer.

(2) Any sum recoverable under this section shall be recoverable with interest thereon at the rate of five per cent per annum from the date when it was paid.

(3) No person may exercise any rights conferred by this section who is himself liable to punishment as an abettor of the contravention in question.

Procedure.

16. No prosecution for any offence punishable under this Act shall be instituted except with the previous sanction of the Government, or of an officer empowered by the Government to grant such sanction.

Special rules of evidence.

17. (1) In any prosecution for a contravention of the provisions of section 6 when the sale of, or offer to sell, or disposal of, the article in question and the price at which it was made, have been proved, then, if it is also proved that such price exceeded by more than 20 per cent, the amount specified in sub-clause (i) or (ii) of clause (*b*) of sub-section (2) of section 6 or in clause (*c*) of that sub-section, as the case may be, it shall lie on the accused person to prove that the sale price charged was within the limits approved by the Controller under the proviso to the said sub-section.

(2) For the purposes of section 6, a certificate signed by or under authority from the Controller as to the landed cost of any articles shall be conclusive proof of that landed cost, and in giving the said certificate such of the following charges as are actually incurred in connection with the article shall be taken into account, namely buying commission, insurance premium, freight, customs duty paid, landing and clearing charges up to deposit of the article in the importer's warehouse or other place of storage and charges made by banks for transmitting shipping documents.

18. If the person contravening any provision of this Act is a company or other body corporate, every director manager, or secretary or other administrative officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

Certain officers to be deemed public servants.

19. The Controller, Inspectors and Officers empowered for the purposes of sections 5, 8, 9 or 13 by the Government shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, as in force in Mysore.

Bar of legal proceedings.

20. No suit, prosecution or other legal proceeding shall lie against any person for anything done or in good faith intended to be done under this Act.

Saving of other laws.

21. The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating the keeping, storage, distribution, disposal, or price of articles.

Exception of certain articles.

22. The provisions of this Act shall not apply—

(*a*) to the possession or sale of any article intended for export from Mysore by a person holding an export license for the export of that article;

(*b*) to the possession or sale of any article by a person discharging a contract entered into with the Government where the possession or sale is in pursuance of that contract.

Repeal.

23. The Hoarding and Profiteering Prevention Ordinance, 1943 (XXXV of 1943) as continued by the Retrocession (Application of Laws) Act, 1947, in the Retroceded Area is hereby repealed.

A. RAMASWAMI MUDALIAR,
Dewan.

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(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, SATURDAY, AUGUST 14, 1948.

NOTIFICATION

Order No. R. L. 445—Legis., 28-48-1, Bangalore, dated the 14th August 1948.

Ordered that the accompanying Mysore Maintenance of Public Order Act, 1948, which received the assent of His Highness the Maharaja, on the seventh day of August 1948, be published as Act No. LVIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and Secretary to Government, Law Department.

ACT No. LVIII OF 1948.

THE MYSORE MAINTENANCE OF PUBLIC ORDER ACT, 1948.

(*Received the assent of His Highness the Maharaja on the seventh day of August 1948.*)

An Act to provide for the Control of meetings and processions, prevention of prejudical acts and certain other purposes.

WHEREAS for the maintenance of public safety and to prevent and put down disorders involving menace to the peace and tranquillity of Mysore, it is necessary to provide for the control of meetings and processions, prevention of prejudicial acts and certain other purposes:

It is hereby enacted as follows :—

CHAPTER I.

PRELIMINARY.

1. (1) This Act may be called the Mysore Maintenance of Public Order Act, 1948.

Short title, extent, commencent and duration.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

(4) It shall remain in force for a period of one year; but the Government may, from time to time, by notification in the Official Gazette, extend the continuance of this Act for a further period or periods not exceeding one year in the aggregate, if in their opinion it is expedient so to do. Upon the expiry of this Act, the provisions of section 6 of the General Clauses Act, 1899, shall apply as if this Act had been repealed by an Act.

Definitions.

2. In this Act unless there is anything repugnant to the subject or context,—

(1) "Code of Criminal Procedure" means with reference to the Retroceded Area, the Code of Criminal Procedure, 1898, as applied to that area and continued by the Retrocession (Application of Laws) Act, 1947, and with reference to the rest of Mysore, the Code of Criminal Procedure, 1904.

(2) "document" includes gramophone records, sound tracks and any other articles on which sounds have been recorded with a view to their subsequent reproduction.

(3) "essential commodity" means food, water, fuel, light, power or any other thing essential for the existence of the community which may be notified in this behalf by the Government in the Official Gazette.

(4) "prejudicial act" means any act which is intended or is likely—

(*a*) to cause disaffection among, or to prejudice, prevent or interfere with the discipline, health or training of, or the performance of their duties by, public servants;

(*b*) to render any public servant incapable of efficiently performing his duties as such or to induce any public servant to fail in the performance of his duties as such;

(c) to prejudice the recruiting of, or the attendance of persons for service in, any of the forces of His Highness the Maharaja, or any police force, or fire brigade or any other body of persons entered, enrolled or engaged as public servants;

(d) to bring into hatred or contempt, or to excite disaffection towards His Highness the Maharaja, or the Government established by law in Mysore or in the Dominion of, or in any Province in India;

(e) to promote feelings of enmity and hatred between different classes of the subjects of His Highness the Maharaja;

(f) to cause fear or alarm to the public or to any section of the public;

(g) to impede, delay or restrict the means of transport or locomotion or any work necessary for the supply or distribution of any essential commodity;

(h) to cause, or produce, or to instigate or incite directly or indirectly, the cessation of work by a body of persons employed in any place of employment in which fifty persons or more are normally employed, except in furtherance of a trade dispute, as defined (with reference to the Retroceded Area) in the Trade Disputes Act, 1929, as applied to the said area and continued by the Retrocession (Application of Laws) Act, 1947, or an industrial dispute, as defined (with reference to the rest of Mysore) in the Mysore Labour Act, 1942, with which such body of persons is directly concerned;

(i) to influence the conduct or attitude of the public, or of any section of the public, in a manner likely to be prejudicial to public safety or the maintenance of public order;

(j) to instigate, directly or indirectly, the use of criminal force against public servants generally, or any class of public servants or any individual public servant.

(4a) "Protected area" means an area declared under section 8A to be a protected area.

(5) "prejudicial report" means any report, statement or visible representation, whether true or false, which,

or the publishing of which, is, or is an incitement to the commission of, a prejudicial act.

(6) "public servant" includes any public servant as defined in the Indian Penal Code and any servant of any local authority.

(7) "Retroceded Area" means the retroceded area as defined in the Retrocession (Application of Laws) Act, 1947.

Effect of provisions inconsistent with other enactments.

3. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Act or in any instrument having effect by virtue of any enactment other than this Act.

CHAPTER II.

PUBLIC SAFETY AND ORDER.

Control of processions, meetings, etc.

4. (1) The District Magistrate may, for the purpose of securing public safety or the maintenance of public order, by general or special order, prohibit, restrict or impose conditions upon the holding of, or taking part in, public processions, meetings or assemblies.

(2) For the purposes of sub-section (1) any procession, meeting or assembly which is open to the public, or to any class or portion of the public, whether held in a public or a private place and whether admission thereto is restricted by the issue of tickets or otherwise, shall be deemed to be a public procession, meeting or assembly, as the case may be.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Unlawful drilling.

5. (1) The Government may, by general or special order, prohibit or restrict in any area any such exercise, movement, evolution or drill of a military nature as may be specified in the order.

(2) The Government may, by general or special order, with a view to securing that no exercise, movement, evolution or drill of a military nature is performed at any place, prohibit, restrict or impose conditions upon the holding of, or taking part in, any such camp, parade, meeting or assembly, as may be specified in the order.

(3) If any person contravenes any order made under this section, he shall be punishable with imprison-

ment for a term which may extend to three years, or with fine, or with both.

Official uniforms.

6. (1) If the Government is satisfied that—

(a) the wearing in public of any dress or article of apparel resembling any uniform, or part of uniform, required to be worn by a member of the forces of His Highness the Maharaja, or by a member of any official police force or of any force constituted under any law for the time being in force;

(b) the wearing or display in public of any distinctive dress, or article of apparel, or any emblem, would be likely to prejudice the public safety or the maintenance of public order,

the Government may, by general or special order, prohibit, or restrict the wearing or display in public of any such dress, article of apparel or emblem.

(2) For the purposes of this section, a dress, an article of apparel or an emblem shall be deemed to be worn or displayed in public if it is worn or displayed so as to be visible to a person in any place to which the public have access.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Curfew

7. (1) The District Magistrate, whenever it appears to him to be necessary to ensure public safety or the maintenance of public order, may by order direct that subject to any specified exemption,—

(a) no person present within any specified area shall, between such hours as may be specified, be out of doors except under the authority of a written permit granted by a specified authority or person;

(b) no person within a specified area shall put up any barricade or any obstruction across, or in any public road, or public place or part thereof.

(2) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Proclamation of emergency and power of District Magistrate to use force in certain circumstances.

8. (1) The Government may, if satisfied that the public peace or tranquillity in Mysore, or in any part thereof, is disturbed, or is likely to be disturbed, in consequence of a conflict, or apprehended conflict, between different communities, or sections, or factions or gangs, declare by a proclamation (hereinafter referred to as a Proclamation of Emergency) in the official Gazette that an emergency exists either in Mysore or in any such part thereof as is specified in the Proclamation.

(2) A Proclamation of Emergency may, at any time, be revoked by a subsequent proclamation.

(3) The provisions of this section shall be operative during the continuance of a Proclamation of Emergency and in such part of Mysore in which by the Proclamation the emergency is stated to exist.

(4) The cessation of any Proclamation of Emergency shall not—

(*a*) affect any liability incurred under the provisions of this section, or any punishment incurred in respect of any contravention of the said provisions or of any order made thereunder;

(*b*) affect any investigation or legal proceeding in respect of any such liability or punishment as aforesaid; and any such investigation or legal proceeding may be instituted, continued or enforced and any such punishment may be imposed as if the provisions of this section had not ceased to be operative.

(5) Subject to the general orders of the Government, any Magistrate, or any police officer not below the rank of a Sub-Inspector or any member of the State Forces not below the rank of a Subedar, authorised by the District Magistrate by general or special order in writing, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as such Magistrate, police officer or member of the State Forces may consider necessary, fire upon, order fire to be opened or otherwise use force or cause force to be used, even to the causing of death, against any person who—

(*a*) when an order under clause (*a*) of sub-section (1) of section 7 is in force is out of doors and fails to halt when challenged by a police officer or a member of the State Forces; or

(*b*) contravenes or attempts to contravene an order under clause (*b*) of sub-section (1) of section 7; or

(*c*) does, or attempts to do or appears to be about to do any such act as would endanger or damage any property of any description whatsoever which it is the duty of any police officer or a member of the State Forces to protect; or

(*d*) does, or attempts to do or appears to be about to do any such act as would render him liable to punishment under Chapter XV or sections 302, 304, 325, 326, 380, 382, 386, 387, 392, 393, 394, 395, 399, 435 or 436 of the Indian Penal Code; or

(*e*) is acting in contravention of any order under section 4 prohibiting public meetings, processions or assemblies, or of any order under section 21 prohibiting the carrying of arms, explosive substances, corrosive substances or liquids, or anything capable of being used as a weapon of offence.

(6) The use of force against any person in pursuance of an order under sub-section (5) shall include the power to arrest and take into custody such person and the use of such force as may be necessary, even to the causing of death, in order to effect such arrest.

(7) (*a*) Whoever commits any offence punishable under any of the following sections of the Indian Penal Code, namely, 307, 363, 364, 365, 366, 367, 368, 376, 392, 394, 395, 397, 398 and 436, may, in lieu of the punishment to which he is liable under that Code, be punished with transportation for life.

(*b*) Whoever attempts to commit, or abets the commission of, any offence punishable under any section of the Indian Penal Code referred to in clause (*a*) may, notwithstanding anything contained in that Code, be punished with transportation for life or with the punishment provided in that section for the offence.

Protected Areas.

8A. (1) If the Government considers it necessary or expedient to regulate the entry of persons into any area, it may, by order, declare the area to be a protected area; and thereupon for so long as the said order is in force, such area shall be a protected area.

(2) On and after such day as may be specified in and subject to any exemptions for which provision may be made by an order made under sub-section (i) no person who was not at the beginning of the said day resident in the area declared to be a protected area by the said order, shall be therein, except in accordance with the terms of a permit in writing granted to him by an authority or person specified in the said order.

(3) Any Police Officer or any other person authorised in this behalf by the Government, may search any person entering or seeking to enter, or being or in, or leaving, a protected area, and any vehicle, aircraft or article brought in by such person, and may, for the purposes of the search, detain such person, vehicle, aircraft, and article.

Provided that no female shall be searched in pursuance of this sub-section except by a female.

(4) If any person is in a protected area in contravention of the provisions of this section, then, without prejudice to any other proceedings which may be taken against him, he may be removed therefrom by or under the direction of any Police Officer, or any member of His Higness the Maharaja's forces on duty in the protected area.

(5) If any person is in a protected area in contravention of any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both.

(6) Any person who effects or attempts to effect entry into a protected area—

(*a*) by using, or threatening to use, criminal force to any person posted for the purpose of protecting or of preventing or controlling access to, such place or area, or

(*b*) after taking precautions to conceal his entry or attempted entry from any such person, shall be punishable with imprisonment for a term which may extend to seven years.

(7) (*a*) The Government as respect any area declared by it to be protected area, may make orders for controlling or regulating the admission of persons to and the conduct of persons in, and in the vicinity of such area;

(*b*) Without prejudice to the generality of the foregoing provision, orders made under clause (*a*) in relation to any area may make provision for—

(i) restricting the admission of persons to such area and for removing therefrom any person who is therein in contravention of such orders;

(ii) for requiring the presence of any person or class of persons in such area to be notified to a prescribed authority;

(iii) for requiring any person or class of persons in such area to carry such documentary evidence of identity as may be prescribed; and

(iv) for prohibiting any person or class of persons from being in possession or control of any prescribed article.

(*c*) An order made under this sub-section in respect of a protected area may exempt such area from all or any of the provisions of this section which are expressed to apply to or in relation to a protected area or may direct that all or any of the said provisions shall apply subject to such modifications as may be specified in the order.

(*d*) If any person contravenes any order made under this sub-section, he shall be punishable with imprisonment for a term which may extend to three years or with fine or with both."

Amendment of section 3 of Act XII of 1940.

9. In the second proviso to sub-section (2) of section 3 of the Mysore Public Security Act, 1940, for the words "two months" the words "six months" shall be substituted.

CHAPTER III.

PREVENTION OF PREJUDICIAL ACTS AND CONTROL OF INFORMATION.

Prohibition of prejudicial acts, publications and communications.

10. (1) No person shall, without lawful authority or excuse,—

(a) do any prejudicial act; or

(b) make, print, publish or distribute any document containing, or spread by any other means whatsoever, any prejudicial report.

(2) The author, editor, printer and publisher of, and any person who otherwise makes or produces, any prejudicial report and any person who distributes or sells any report of that nature, knowing it to be of such nature, shall be deemed to have contravened this section.

(3) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both:

Provided that in any proceedings arising out of a contravention of this section,—

(a) in relation to the making or printing of any document, it shall be a defence for the accused to prove that the said document was made or printed, as the case may be,—

(i) before this Act came into force, or

(ii) with the permission, or under the authority, of the Government, or

(iii) as a proof intended for submission to the Government or to a person, or authority, designated by the Government in this behalf, with a view to obtaining permission for its publication;

(b) in relation to the publication of any document, it shall be a defence for the accused to prove that the said document was published—

(i) before this Act came into force, or

(ii) with the permission, or under the authority, of the Government.

Proscription, etc., of certain documents.

11. (1) Where in the opinion of the Government any document made, printed or published, whether before or

after this Act came into force, contains any prejudicial report, the Government may, by order,—

(a) require the editor, printer, publisher or person in possession of such document to inform the authority specified in the order the name and address of any person concerned in the making of such report;

(b) provide for the safe keeping of such document and copies thereof by persons in possession thereof;

(c) require the delivery of such document and any copy thereof to any authority specified in the order;

(d) prohibit the further publication, sale or distribution of such document, or of any extract therefrom or of any translation thereof, including, in the case of a newspaper or other periodical, the publication, sale or distribution of any subsequent issue thereof;

(e) declare such document and every copy, or translation thereof or extract therefrom to be forfeited to the Government.

(2) Where, in pursuance of sub-section (1), any document is required to be delivered to a specified authority, that authority may enter upon and search any premises whereon or wherein such document, or any copy thereof is or is reasonably suspected to be.

(3) Where, in pursuance of sub-section (1), any document has been declared to be forfeited to the Government, any police officer may seize any copy thereof wherever found, and any Magistrate may, by warrant, authorise any police officer not below the rank of a Sub-Inspector to enter upon and search any premises whereon or wherein such document, or any copy thereof, is or is reasonably suspected to be.

(4) Whoever contravenes any order made under this section shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Control of documents printed or made outside Mysore.

12. The Government may, by general or special order, prohibit or regulate the entry into, or sale, or distribution, or circulation, or publication or possession within Mysore of any document, or class of documents or of any prejudicial report printed, or made, outside Mysore.

Censorship.

13. (1) The Government may, for the purpose of securing the public safety or for the maintenance of public order, by order addressed to a printer, publisher or editor, or to printers, publishers and editors generally—

(*a*) require that all matter, or any matter, relating to a particular subject or class of subjects, shall, before being published in any document or class of documents, be submitted for scrutiny to an authority specified in the order;

(*b*) prohibit or regulate the making, or publishing, of any document or class of documents, or of any matter relating to a particular subject or class of subjects, or the use of any press.

(2) If any person contravenes any order made under sub-section (1), the Government may, without prejudice to any other proceedings which may be taken against such person, declare to be forfeited to the Government every copy of any document published or made in contravention of such order and any press used in the making of such document.

(3) If any person contravenes any order made under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Explanation.—For the purposes of this section "press" includes a printing press and all machines, implements and plant, and parts thereof, and all materials used for multiplying documents.

Dissemination of false rumours.

14. Whoever by words, whether spoken or written or by signs, or by visible or audible representations, or otherwise makes, publishes, or circulates, any statement, rumour or report, which is false and which he has no reasonable grounds to believe to be true, with intent to cause, or which is likely to cause, fear or alarm to the public or to any section of the public, or hatred or contempt towards any public servant, or any class of public servants, or any class or section of the subjects of His Highness the Maharaja shall be punishable with imprisonment for a term which may extend to one year, or with fine, or with both.

Participation in mock funeral ceremony.

15. Whoever with intent to intimidate, insult or annoy any person, or with the knowledge that intimidation, insult or annoyance is likely to be caused to any person, performs, or takes part in, or abets the performance of, any

mock ceremony, resembling any ceremony associated with, or consequent upon, death, shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Sabotage.

16. (1) No person shall do any act with intent to impair the efficiency, or impede the working of, or to cause damage to—

(a) any building, vehicle, machinery, apparatus or other property used, or intended to be used, for the purpose of the Government or of any local authority;

(b) any railway (as defined in the Mysore Railways Act, 1894) tramway, road, canal, bridge, culvert, causeway, aerodrome, or any telegraph, telegraph line or post (as defined in the Indian Telegraph Act, 1885);

(c) any rolling stock of a railway or tramway, or any aircraft;

(d) any building or other property used in connection with the production, distribution or supply of any essential commodity, any sewage works, mine or factory.

(2) The provisions of sub-section (1) shall apply in relation to any omission on the part of a person to do anything which he is under a duty either to the Government, or to any public authority or to any person to do as they apply to the doing of any act by a person.

(3) If any person approaches, or is in the neighbourhood of, any such building, place or property, as is mentioned in sub-section (1), in circumstances which afford reason to believe that he intends to contravene that sub-section, he shall be deemed to have attempted a contravention thereof.

(4) If any person contravenes any of the provisions of this section, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

Receiving of sabotaged property.

17. (1) If any person dishonestly receives or retains, or voluntarily assists in concealing or disposing of or making away with, any sabotaged property, knowing, or having reason to believe, the same to be sabotaged property, he shall be punishable with imprisonment for a term which may extend to seven years, or with fine, or with both.

(2) In this section "sabotaged property" means property the possession of which has been transferred by, or in consequence of, any such act as is referred to in sub-section (1) of section 16.

Additional power to declare an association unlawful.

18. (1) If the Government is of opinion that any association is organised or equipped for the purpose of enabling the members of the association to be employed, or is organised or equipped in such manner as to arouse reasonable apprehension that the members of the association may be employed, in usurping the functions of the State Forces, or His Majesty's Forces, or of any police force or of any force constituted under any law for the time being in force, in furtherance of the common object of the association, or for the doing of any prejudicial act, the Government may, by notification in the Official Gazette, declare such association to be unlawful.

Explanation.—In this section "association" means any combination or body of persons, whether the same be known by any distinctive name or not.

(2) On the issue of a notification under sub-section (1) declaring an association as unlawful, the provisions of the Indian Criminal Law Amendment Act, 1908, as continued in the retroceded area by the Retrocession (Application of Laws) Act, 1947, shall apply with respect to an association in the retroceded area, and the provisions of the Mysore Public Security Act, 1940, shall apply to an association elsewhere in Mysore.

Boycotting.

19. Whoever refuses to deal or do business with, or to supply goods, or to let a house or land to, or to render any customary service to, any public servant or any person in whom a public servant is interested, or refuses to do so on the terms on which such things would be done in the ordinary course or abstains from such professional or business relation as he would ordinarily maintain with such public servant or person, or threatens such public servant or person with any such refusal or abstention, shall be punishable with imprisonment for a term which may extend to one year or with fine or with both:

Provided that no person shall be convicted under this section if the court is satisfied that his refusal, abstention or threat as aforesaid was not intended to harass the public servant or person affected thereby in the discharge of the duties of his office or employment, or to cause him to terminate his services or fail in his duty or commit a breach of discipline.

CHAPTER IV.

COLLECTIVE FINES.

Imposition of collective fines.

20. (1) If it appears to the Government that the inhabitants of any area are concerned in, or abetting the commission of, offences prejudicially affecting the public safety or the maintenance of public order, or the production, supply or distribution of any essential commodity, or the maintenance of supplies and services essential to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the Official Gazette, impose a collective fine on the inhabitants of that area:

Provided that an imposition of a collective fine by any officer or authority to whom the power may have been delegated under this Act may be made by publication of the order imposing the fine in such manner as such officer or authority may consider best calculated to bring the order to the notice of the inhabitants of the area concerned.

(2) The Government or any officer empowered by it in this behalf may, by general or special order, exempt any class, or section of such inhabitants or any person from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made in accordance with the District Magistrate's judgment regarding the respective means of such inhabitants. An appeal shall lie to the Government from an order of apportionment by the District Magistrate; provided that such appeal is preferred within sixty days from the date of such order exclusive of the time required for obtaining a copy of the order.

(4) The portion of such fine payable by any person—

(*a*) shall be treated as a fine imposed by the Magistrate acting as a Court and recovered

in the manner provided by the Code of Criminal Procedure for the recovery of a fine imposed by a Court:

Provided that the Government may, in lieu of the rules referred to in sub-section (2) of section 386 of the Code of Criminal Procedure make rules under this Act regulating the manner in which warrants under clause (*a*) of sub-section (1) of the said section of the said Code are to be executed, and for the summary determination of any claims made by any person other than the person liable to pay the fine in respect of any property attached in execution of the warrant; or

(*b*) shall be recovered as arrears of land revenue.

CHAPTER V.

Control of Arms and Explosives.

Carrying and possession of arms and explosives.

21. (1) The Government may, by general or special order, prohibit, restrict or impose conditions on the possession, carrying, use, sale or other disposal of—

(*a*) arms or articles capable of being used as arms;

(*b*) ammunition;

(*c*) substances (hereinafter referred to as explosive substances) which are, or are declared to be, explosives within the meaning of the Mysore Explosives Act, 1888;

(*d*) corrosive substances or liquids;

(*e*) any other article or thing capable, in the opinion of the Government, of being used as a weapon of offence.

(2) Without prejudice to any powers conferred by, or under, any other law for the time being in force,—

(*a*) if any police officer not below the rank of Jamedar, or any other public servant authorised by the Government to act under this section, suspects that any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or

liquids, or any other things or articles capable of being used as weapons of offence are in or upon any land, vehicle, aircraft, building or other premises in contravention of an order made under sub-section (1), he may enter, at any time of the day or night, if necessary, by force, and search the land, vehicle, aircraft, building or premises in or upon which he suspects that a contravention of an order made under sub-section (1) has been committed, and may seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances, or liquids, or other articles or things capable of being used as weapons of offence found therein or thereon which he suspects to be therein or thereon in contravention of such order;

(*b*) if any police officer, or any other public servant authorised by the Government to act under this section, suspects that any person is carrying, or is in possession of arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things capable of being used as weapons of offence in contravention of an order made under sub-section (1), such officer, or other public servant, may stop and search, or cause to be searched, such person and seize any arms, articles capable of being used as arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things capable of being used as weapons of offence possessed or carried by him which such officer, or other public servant, suspects to be possessed or carried in contravention of such order:

Provided that no female shall be searched in pursuance of the provisions of this section except by a female.

(3) Any arms, ammunition, explosive substances, corrosive substances or liquids, or other articles or things seized under the provisions of this section may be destroyed, or otherwise disposed of, as may be ordered by the Government.

(4) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to five years, or with fine, or with both.

Manufacture and transport of explosives and dangerous articles

22. (1) The Government may, as respects any premises used for producing, treating, handling or keeping any explosives, or petroleum or any other substance to which any of the provisions of the Mysore Explosives Act, 1888, or of the Mysore Petroleum Act, 1942, or of the Indian Explosives Act, 1884, or of the Petroleum Act, 1934, as the case may be, apply or may be applied, by order make provision for the safety of persons and property in, or in the vicinity of, such premises; and by any such order may authorise the searching of persons, entering, or seeking to enter, or being within, or leaving or seeking to leave any premises to which the order applies:

Provided that no female shall be searched in pursuance of such order except by a female.

(2) The Government may by order make, in relation to the conveyance on vehicles of any description of any such articles or substances as are mentioned in sub-section (1), such provision as may appear to be necessary or expedient for the protection of persons or property against danger arising from, or in connection with, such conveyance.

(3) If any person contravenes any order made under this section, he shall be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

CHAPTER VI.

CONTROL OF ROAD TRANSPORT.

Power to prohibit or regulate the use of vehicles or animals.

23. (1) In this section:—

(a) 'vehicle' means any vehicle used, or capable of being used, for the purpose of road transport;

(b) 'animal' means any animal used, or capable of being used, for the transport of persons or goods.

(2) If, in the opinion of the District Magistrate it is necessary for the public advantage so to do, he may, by order in writing,—

(a) regulate, restrict or prohibit the use upon any road of any vehicle or animal;

(*b*) require any vehicle as a condition of use to carry a permit issued by him containing such conditions as he may think fit;

(*c*) require any person owning, or having in his possession or under his control, any vehicle or animal to comply with any directions contained in the order as to the management or use thereof, or to place the vehicle or animal at the disposal of the District Magistrate, or of any person specified in the order, either absolutely or by way of hire and either for immediate or future use.

(3) The District Magistrate may cancel any permit issued by him, and may impound or take possession of any vehicle which is being, or has been, used without the permit necessary as a condition of use, or in contravention of any order made under sub-section (2) or of any condition attached to any permit issued by him.

(4) The District Magistrate may—

(*a*) require accommodation to be provided on any vehicle for any passengers or goods and, for this purpose, exclude from such vehicle any passengers or goods which it is already carrying or about to carry;

(*b*) require that any specified persons or classes of persons, or persons proposing to travel to specified destinations, or any specified goods or classes of goods consigned to specified destinations, shall not be carried on any vehicle or animal;

(*c*) exclude or eject any passenger from any vehicle, or prohibit the use by any specified person or class of persons of any specified road, or specified vehicle or specified animal.

(5) The District Magistrate may, by order in writing, regulate or prohibit the sale, supply, delivery or use of motive fuel, oil or accessories intended for motor vehicles.

CHAPTER VII.

SUPPLEMENTAL.

24. (1) Without prejudice to any special provisions contained in this Act, the Government or the District Magistrate may by order require any person to furnish or

Power to obtain information.

produce to any specified authority or person any such information or article in his possession as may be specified in the order, being information or article which the Government or the District Magistrate, as the case may be, considers it necessary or expedient in the interests of the public safety or interest to obtain or examine.

(2) If any person fails to furnish or produce any information or article in compliance with an order made under sub-section (1), he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

False statements.

25. If any person when required by or under any of the provisions of this Act to make any statement or furnish any information makes any statement or furnishes any information which he knows, or has reasonable cause to believe, to be false or not true, in any material particular, he shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

Power to delegate.

26. The Government may by order direct that any power or duty which under any of the provisions of this Act is conferred, or imposed, upon the Government, shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by any officer or authority subordinate to it.

Publication, affixation and defacement of notice.

27. (1) Save as otherwise expressly provided in this Act, every authority, officer or person who makes any order in writing in pursuance of any provision thereof shall:

(*a*) in the case of an order of a general nature or affecting a class of persons publish notice of such order by notification in the official Gazette or in such manner as may, in the opinion of such authority, officer, or person, be best adapted for informing persons whom the order concerns;

(*b*) in the case of an order affecting an individual, corporation or firm in the Retroceded Area serve, or cause the order to be served, in the manner provided for the service of summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1908, (V of 1908), as continued in the Retroceded Area by the Retrocession (Application of

Laws) Act, 1947, and in the case of an order affecting an individual, corporation or firm elsewhere in Mysore serve, or cause the order to be served, in the manner provided for the service of a summons in rule 2 of Order XXIX or rule 3 of Order XXX, as the case may be, in the First Schedule to the Code of Civil Procedure, 1911; and

(c) in the case of an order affecting an individual person (not being a corporation or firm) serve, or cause the order to be served, on that person :—

(i) personally, by delivering or tendering to him the order; or

(ii) by post; or

(iii) where the person cannot be found, by leaving an authentic copy of the order with some adult male member of his family, or by affixing such copy to some conspicuous part of the premises in which he is known to have last resided, or carried on business or personally worked for gain.

(2) If, in the course of any judicial proceedings, a question arises whether a person was duly informed of an order made in pursuance of any provision of this Act, compliance with sub-section (1) shall be conclusive proof that he was so informed, but a failure to comply with sub-section (1) :—

(i) shall not preclude proof by other means that he had information of the order; and

(ii) shall not affect the validity of the order.

(3) Any police officer, and any other person authorised by the Government or the District Magistrate in this behalf may, for any purpose connected with the public safety, the maintenance of public order, maintaining supplies and services essential to the life of the community, or for carrying out the provisions of this Act affix any notice to, or cause any notice to be displayed on, any premises, vehicle or vessel, and may, for the purpose of exercising the power conferred by this section, enter any premises, vehicle or vessel at any time.

(4) Any person authorised by the Government or the District Magistrate in this behalf may, for any purpose mentioned in sub-section (3), by order direct the owner or other person in possession or control of any premises, vehicle or vessel to display any notice on, or in, the

premises, vehicle or vessel in such manner as may be specified in the order.

(5) If any person without lawful authority removes, alters, defaces, obliterates or in any way tampers with any notice affixed, or displayed, in pursuance of the provisions of this Act, or contravenes any order under sub-section (4), he shall be punishable with imprisonment for a term which may extend to six months, or with fine, or with both.

Offences under this Act to be cognizable and non-bailable.

28. Notwithstanding anything contained in the Code of Criminal Procedure, any offence punishable under this Act shall be cognizable and non-bailable.

Special provisions regarding bail.

29. Notwithstanding anything contained in the Code of Criminal Procedure, no person accused or convicted of a contravention of any of the provisions of this Act or of any order made thereunder shall, if in custody, be released on bail or on his own bond unless,—

(*a*) the prosecution has been given an opportunity to oppose the application for such release, and

(*b*) where the prosecution opposes the application and the contravention is of any such provision of this Act, or of any order made thereunder, as the Government may, by general order, specify in this behalf, the court is satisfied that there are reasonable grounds for believing that he is not guilty of such contravention.

Attempts etc., to contravene the Act.

30. Any person who attempts to contravene, or abets or attempts to abet, or does any act preparatory to a contravention of any of the provisions of this Act, or of any order made thereunder, shall be deemed to have contravened that provision, or, as the case may be, that order.

Offences by corporations.

31. If the person contravening any of the provisions of this Act or of any order made thereunder is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention.

Assisting offenders.

32. Any person who knowing, or having reasonable cause to believe, that any other person has contravened any of the provisions of this Act, or of any order made thereunder, gives that other person any assistance with intent thereby to prevent, hinder or otherwise interfere

with, his arrest, trial or punishment for the said contravention, shall be deemed to have abetted that contravention.

Power to issue search warrants.

33. The power to issue search warrants conferred by Section 98 of the Code of Criminal Procedure shall be deemed to include the power to issue warrants for—

(*a*) the search of any place in which any magistrate mentioned in that section has reason to believe that any offence under this Act or any act prejudicial to the public safety or the maintenance of public order has been, is being or is about to be committed, or that preparation for the commission of any such offence or act is being made;

(*b*) the seizure in or on any place searched under clause (*a*) of anything which the officer executing the warrant has reason to believe is being used, or is intended to be used, for any purpose mentioned in that clause;

and the provisions of the Code of Criminal Procedure shall, so far as may be, apply to searches made under the authority of any warrant issued, and to the disposal of any property seized, under this section.

Power to give effect to orders, etc.

34. (1) Any authority, officer or person who is empowered by, or in pursuance of, this Act to make any order, or to exercise any other power, may, in addition to any other action prescribed by or under this Act, take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of such authority, officer or person, be reasonably necessary for securing compliance with, or for preventing or rectifying any contravention of such order, or for the effective exercise of such power.

(2) Where in respect of any of the provisions of this Act there is no authority, officer or person empowered to take action under sub-section (1), the Government or District Magistrate may take, or cause to be taken, such steps and use, or cause to be used, such force as may, in the opinion of the Government or the District Magistrate, be reasonably necessary for securing compliance with, or for preventing or rectifying any breach of, such provision.

(3) For the avoidance of doubts it is hereby declared that the power to take steps under sub-section (1) or under sub-section (2) includes the power to enter upon any land or other property whatsoever.

Protection of action taken under this Act.

35. No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done, or intended to be done, in pursuance of this Act, or of any order made thereunder.

Operation of other penal Acts not barred.

36. Nothing contained in this Act shall be deemed to prevent any person from being prosecuted under any other Act for any act or omission which constitutes an offence punishable under this Act.

Savings as to orders.

37. (1) No order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

(2) Where an order purports to have been made and signed by any authority in exercise of any power conferred by or under this Act, a Court shall, within the meaning of the Indian Evidence Act, 1872, presume that such order was so made by such authority.

Repeal and Savings.

38. The Mysore Maintenance of Public Order (Emergency) Act, 1948 (XV of 1948), and the Mysore Maintenance of Public Order (Amendment) (Emergency) Act, 1948 (XXVII of 1948) are hereby repealed. But any order made, anything done and any action taken in exercise of any power conferred by the Mysore Maintenance of Public Order (Emergency) Act, 1948 (XV of 1948) shall be deemed to have been made, done or taken in exercise of the powers conferred by, or under this Act, as if this Act had commenced on the 14th day of February 1948.

A. RAMASWAMI MUDALIAR,

Dewan.

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NOTIFICATION.

No. H. 4469—Ptl. 5-49-10, dated Bangalore, 21st September 1949.

In exercise of the powers conferred by section 26 of the Mysore Administration of Evacuee Property (Emergency) Act, 1949 (Act No. XLVII of 1949), and in supersession of Notification No. H-3149—Ptl. 5-49-4, dated 30th August 1949, the Government of His Highness the Maharaja are pleased to declare that in the areas specified hereunder and for a period of three months from the date of this notification, transfers of all immovable property shall be prohibited, namely :—

1. Bangalore District (Urban).
2. Ramanagaram (Closepet), Channapatna, and Kankanhalli Taluks.
3. Mysore, T.-Narsipur, Chamarajanagar and Hunsur Taluks.
4. Kolar and Bowringpet Taluks.
5. Tumkur, Tiptur, Sira and Kunigal Taluks.
6. Mandya, Malavalli, Nagamangala and Krishnarajpet Taluks.
7. Shimoga, Sagar, Channagiri, Bhadravathi and Honnali Taluks.
8. Hassan and Arsikere Taluks.
9. Chikmagalur, Kadur and Tarikere Taluks.
10. Chitaldrug and Davangere Taluks.

(Inclusive of all Municipal areas in the above taluks.)

By Order,

K. SRINIVASAN,

Chief Secretary to Government.

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EXTRAORDINARY

BANGALORE, FRIDAY, SEPT. 24, 1948.

NOTIFICATION.

Order No. R.L. 716—Legis. 33-48-1, dated Bangalore, the 24th September 1948.

Ordered that the accompanying Mysore University (Amendment) (Emergency) Act, 1948, which received the assent of His Highness the Maharaja, on the 13th day of September 1948, be published as Act No. LXII of 1948 in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No LXII OF 1948.

THE MYSORE UNIVERSITY (AMENDMENT) (EMERGENCY) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 13th day of September 1948.)

An Act further to amend the Mysore University Act, 1933.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action further to amend the Mysore University Act, 1933, to provide for the admission of refugee students to courses of study in the University;

Now therefore in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the Mysore University (Amendment) (Emergency) Act, 1948.

(2) It shall come into force at once.

Amendment of section 19, Act III of 1933.

2. After sub-section (2) of section 19 of the Mysore University Act, 1933, the following sub-section shall be added, namely:—

"(3) Notwithstanding anything contained in this Act or in any statute or ordinance, the Government may, if satisfied that there are reasonable grounds, by order direct the admission of any refugee student to any class in any course of study in the University, and it shall be the duty of the Vice-Chancellor and the Council to comply with such order.

Explanation.—"refugee student" means any student coming from any Province or State in Pakistan, and includes a student coming from any other area as the Government may by order specify in this behalf."

K. CHENGALARAYA REDDY,

Chief Minister
in charge of the current duties of the Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

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BANGALORE, FRIDAY, OCTOBER 1, 1948

NOTIFICATION.

Order No. R.L. 955—Legis. 34-48-2, Bangalore, dated 1st October 1948.

Ordered that the accompanying United Nations (Privileges and Immunities) Act, 1948, which received the assent of His Highness the Maharaja, on the 24th day of September 1948, be published as Act No. LXIV of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LXIV OF 1948.

THE UNITED NATIONS (PRIVILEGES AND IMMUNITIES) ACT, 1948.

(Received the assent of His Highness the Maharaja on the 24th day of September 1948.)

An Act to give effect to the Convention on the Privileges and Immunities of the United Nations in Mysore.

WHEREAS it is expedient to give effect to the Convention on the Privileges and Immunities of the United Nations, and to enable similar privileges and immunities to be enjoyed by other international organisations and their representatives and officials in Mysore;

Now, therefore, in exercise of the powers conferred by section 30 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows :—

Short title.

1. This Act may be called the United Nations (Privileges and Immunities) Act, 1948.

Conferment on United Nations and its representatives and officers of certain privileges and immunities.

2. (1) Notwithstanding anything to the contrary contained in any other law, the provisions set out in the Schedule to this Act of the Convention on the Privileges and Immunities, adopted by the General Assembly of the United Nations on the 13th day of February 1946, shall have the force of law in Mysore.

(2) The Government may, from time to time, by notification in the official gazette, amend the Schedule in conformity with any amendments, duly made and adopted, of the provisions of the said Convention set out therein.

Power to confer certain privileges and immunities on other international organisations and their representatives and officers.

3. Where in pursuance of any international agreement, convention or other instrument it is necessary to accord to any international organisation and its representatives and officers privileges and immunities in Mysore similar to those contained in the provisions set out in the Schedule, the Government may, by notification in the official Gazette declare that the provisions set out in the Schedule shall, subject to such modifications, if any, as it may consider necessary or expedient for giving effect to the said agreement, convention or other instrument, apply *Mutatis Mutandis* to the international organisation specified in the notification and its representatives and officers and thereupon the said provisions shall apply accordingly and, notwithstanding anything to the contrary contained in any other law, shall in such application have the force of law in Mysore.

Power to make rules.

4. The Government may make rules for carrying out the purposes of this Act.

THE SCHEDULE.

[*See Sections 2 and 3*].

ARTICLE I.

JURIDICAL PERSONALITY.

Section 1.—The United Nations shall possess juridical personality.

It shall have the capacity:

(*a*) to contract;

(*b*) to acquire and dispose of immovable and movable property;

(*c*) to institute legal proceedings.

ARTICLE II.

Property, Funds and Assets.

Section 2.—The United Nations, its property and assets wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case it has expressly waived its immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 3.—The Premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held shall be immune from search, requisition, confiscation, expropriation and any other form of interference whether by executive, administrative, judicial or legislative action.

Section 4.—The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.

Section 5.—Without being restricted by financial controls regulations or moratoria of any kind,

(*a*) the United Nations may hold funds, gold or currency of any kind and operate accounts in any currency;

(*b*) the United Nations shall be free to transfer its fund, gold or currency from one country to another or within any country and to convert any currency held by it into any other currency.

Section 6.—In exercising its rights under section 5 above, the United Nations shall pay due regard to any representations made by the Government of any Member in so far as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

Section 7.—The United Nations, its assets, income and other property shall be:

(*a*) exempt from all direct taxes; it is understood, however, that the United Nations will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

(*b*) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the United Nations for its official use. It is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed with the Government of that country;

(*c*) exempt from customs duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 8.—While the United Nations will not, as a general rule, claim exemption from excise duties and from taxes on the sale of immovable and movable property which form part of the

price to be paid, nevertheless when the United Nations is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE III.

Facilities in respect of Communications.

Section 9.—The United Nations shall enjoy in the territory of each Member for its official communications treatment not less favourable than that accorded by the Government of that Member to any other Government including its diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications; and press rates for information to the press and radio. No censorship shall be applied to the official correspondence and other official communications of the United Nations.

Section 10.—The United Nations shall have the right to use codes and to despatch and receive its correspondence by courier or in bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

ARTICLE IV.

The Representatives of Members.

Section 11.—Representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, shall, while exercising their functions and during their journey to and from the place of meeting, enjoy the following privileges and immunities:

(*a*) immunity from personal arrest or detention and from seizure of their personal baggage, and, in respect of words spoken or written and all acts done by them in their capacity as representatives, immunity from legal process of every kind;

(*b*) inviolability for all papers and documents;

(*c*) the right to use codes and to receive papers or correspondence by courier or in sealed bags;

(*d*) exemption in respect of themselves and their spouses from immigration restrictions, aliens registration or national service obligations in the State they are visiting or through which they are passing in the exercise of their functions;

(*e*) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

(*f*) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys; and also

(*g*) such other privileges, immunities and facilities not inconsistent with the foregoing as diplomatic envoys enjoy, except that they shall have no right to claim exemption from customs duties on goods imported (otherwise than as part of their personal baggage) or from excise duties or sales taxes.

Section 12.—In order to secure, for the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations, complete freedom of speech and independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer the representatives of Members.

Section 13.—Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations are present in a State for the discharge of their duties shall not be considered as periods of residence.

Section 14.—Privileges and immunities are accorded to the representatives of Members not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the United Nations, consequently a Member not only has the right but is under a duty to waive the immunity of its representative in any case where in the opinion of the Member the immunity would impede the course of justice, and it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 15.—The provisions of sections 11, 12 and 13 are not applicable as between a representative and the authorities of the State of which he is a national or of which he is or has been the representative.

Section 16.—In this article the expression "representatives" shall be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

ARTICLE V.

OFFICIALS.

Section 17.—The Secretary-General will specify the categories of officials to which the provisions of this Article and Article VII shall apply. He shall submit these categories to the General Assembly. Thereafter these categories shall be communicated to the Government of all Members. The names of the officials included in these categories shall from time to time be made known to the Governments of Members.

Section 18.—Officials of the United Nations shall—

(*a*) be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(*b*) be exempt from taxation on the salaries and emoluments paid to them by the United Nations;

(*c*) be immune from national service obligations;

(*d*) be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;

(*e*) be accorded the same privileges in respect of exchange facilities as are accorded to the officials of comparable ranks forming part of diplomatic missions to the Government concerned;

(*f*) be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crisis as diplomatic envoys;

(*g*) have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19.—In addition to the immunities and privileges specified in section 18, the Secretary-General and all Assistant Secretaries-General shall be accorded in respect of themselves, their spouses and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with International Law.

Section 20.—Privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. In the case of the Secretary-General, the Security Council shall have the right to waive immunity.

Section 21.—The United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with privileges, immunities and facilities mentioned in this Article.

ARTICLE VI.

Experts on Missions for the United Nations.

Section 21.—Experts (other than officials coming within the scope of Article V) performing missions for the United Nations shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period

of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded—

(*a*) immunity from personal arrest or detention and from seizure of their personal baggage;

(*b*) in respect of words spoken or written and acts done by them in the course of the performance of their mission, immunity from legal process of every kind. This immunity from legal process shall continue to be accorded notwithstanding that the persons concerned are no longer employed on missions for the United Nations;

(*c*) inviolability for all papers and documents;

(*d*) for the purpose of their communications with the United Nations, the right to use codes and to receive papers or correspondence by couriers or in sealed bags;

(*e*) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

(*f*) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic envoys.

Section 23.—Privileges and immunities are granted to experts in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any expert in any case where, in his opinion, the immunity would impede the course of justice and it can be waived without prejudice to the interests of the United Nations.

ARTICLE VII.

United Nations Laissez-passer.

Section 24.—The United Nations may issue United Nations laissez-passer to its officials. These laissez-passer shall be recognized and accepted as valid travel documents by the authorities of Members, taking into account the provisions of Section 25.

Section 25.—Applications for visas (where required) from the holders of United Nations laissez-passer, when accompanied by a certificate that they are travelling on the business of the United Nations, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 26.—Similar facilities to those specified in section 25 shall be accorded to experts and other persons who, though not the holders, of United Nations laissez-passer, have a certificate that they are travelling on the business of the United Nations.

Section 27.—The Secretary-General, Assistant Secretaries-General and Directors travelling on United Nations laissez-passer on the business of the United Nations shall be granted the same facilities as are accorded to diplomatic envoys.

Section 28.—The provisions of this article may be applied to the comparable officials of specialized agencies if the agreements for relationship made under Article 63 of the Charter so provide.

ARTICLE VIII.

SETTLEMENT OF DISPUTES.

Section 29.—The United Nations shall make provisions for appropriate modes of settlement of:

(*a*) disputes arising out of contracts or other disputes of a private law character to which the United Nations is a party;

(*b*) disputes involving any official of the United Nations who by reasons of his official position enjoys immunity, if immunity has not been waived by the Secretary-General.

Section 30.—All differences arising out of the interpretation or application of the present convention shall be referred to the International Court of Justice, unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court. The opinion given by the Court shall be accepted as decisive by the parties.

K. CHENGALARAYA REDDY,
Chief Minister,
in charge of the current duties of the Dewan.

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BANGALORE, FRIDAY, OCTOBER 1, 1948.

NOTIFICATION.

Order No. R.L. 954—Legis. 34-48-1, Bangalore, dated 1st October 1948.

Ordered that the accompanying United Nations (Security Council) Act, 1948, which received the assent of His Highness the Maharaja, on the 24th day of September 1948, be published as Act No. LXIII of 1948, in the *Mysore Gazette* for general information.

S. KANAKARATNARAJ,
Legal Remembrancer and
Secretary to Government,
Law Department.

ACT No. LXIII OF 1948.

THE UNITED NATIONS (SECURITY COUNCIL) ACT, 1948.

(*Received the assent of His Highness the Maharaja on the 24th day of September 1948.*)

An Act to enable effect to be given to certain provisions of the Charter of the United Nations, in Mysore.

WHEREAS it is expedient to enable effect to be given to certain provisions of the Charter of the United Nations, in Mysore;

Now, therefore, in exercise of the powers conferred by section 30 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:—

1. This Act may be called the United Nations (Security Council) Act, 1948. **Short title.**

Measures under Article 41 of the Charter of the United Nations.

2. If, under Article 41 of the Charter of the United Nations signed at San Francisco on the 26th day of June 1945 the Security Council of the United Nations calls upon the Government of India to apply any measures, not involving the use of armed force, to give effect to any decision of that Council, the Government may, by order published in the official Gazette, make such provisions (including provisions having extra-territorial operation) as appear to it necessary or expedient for enabling those measures to be effectively applied, and without prejudice to the generality of the foregoing power, provision may be made for the punishment of persons offending against the order.

K. CHENGALARAYA REDDY,

Chief Minister,

in charge of the current duties of the Dewan.

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BANGALORE, FRIDAY, OCTOBER 8, 1948

NOTIFICATIONS.

No. P. 6122—Pol. 92-48-1, dated (Camp Mysore) 8th October 1948.

In exercise of the powers conferred by sub-section (2) of Section 1 of the Mysore Public Security Act, 1940 (XII of 1940), as applied to the Retroceded Area by the Retroceded Area (Application of Laws) Act, 1948 (LVII of 1948), the Government of His Highness the Maharaja are pleased to apply all the provisions of the said Mysore Public Security Act, 1940, to the said Area with effect from the 15th August 1948.

No. P. 6123—Pol. 92-48-2, dated (Camp Mysore) 8th October 1948.

In exercise of the powers conferred by Section 3 of the Mysore Public Security Act, 1940 (XII of 1940), as applied to the Retroceded Area by the Retroceded Area (Application of Laws) Act, 1948 (LVII of 1948), the Government of His Highness the Maharaja are pleased to authorise the District Magistrate, Retroceded Area, to exercise the powers conferred by Section 3 of the said Mysore Public Security Act, 1940 (XII of 1940), in the said Area.

V. VEDAVYASACHARYA,
Chief Secretary to Government.

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BANGALORE, MONDAY, NOVEMBER 22, 1948.

NOTIFICATIONS.

No. 3517—C. B. 195-48-3, dated Bangalore, 22nd November 1948.

His Highness the Maharaja is pleased to appoint Sri V. Kandaswami Pillai, B.A., B.L., Acting District and Sessions Judge, to act as a Judge of the High Court of Mysore.

No. 3522—C. B. 195-48-4, dated Bangalore, 22nd November 1948.

His Highness the Maharaja is pleased to appoint Sri T. N. Mallappa, B.A., LL.B., Acting District and Sessions Judge, to act as a Judge of the High Court of Mysore.

By Order,
K. SRINIVASAN,
Chief Secretary to Government.

Printed by the Director of Stationery and Printing at the Govt. Press, Bangalore.